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ABSTRACT

This portfolio is a compendium of policies and procedures of the Middle States Commission on Higher Education that address the responsibilities of the Commission and its member institutions. It provides general accreditation policies, as well as those that refer specifically to the self-study and peer review process, the programs and services offered by member institutions, and the administrative procedures of the Commission. All of the policies and procedures are elaborations of the standards for accreditation set forth in "Characteristics of Excellence," the Commission's guide to institutions considering accreditation. Topics in the portfolio are grouped into these categories: (1) "General Accreditation Policies"; (2) "Self-Study and Peer Review"; (3) "Institutional Programs & Services"; and (4) "Appeals." (SLD)

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& PROCEDURES

Fifth Edition

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Middle States Commission on Higher Education

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Introduction

This portfolio is a compendium of Commission policies and procedures that address the responsibilities of the Commission and its member institutions. It includes general accreditation policies, as well as those that refer specifically to the self-study and peer review process, the programs and services offered by member institutions, and administrative procedures of the Commission.

Taken together, *Characteristics of Excellence*, the Commission's basic handbooks, manuals, and other publications, and this portfolio provide a comprehensive set of documents describing all aspects of the Commission's accreditation protocol and related activities.

All of the policies and procedures are elaborations of the standards for accreditation set forth in *Characteristics of Excellence in Higher Education* (1994), which ordinarily is reviewed approximately every seven years. The review of *Characteristics* includes extensive constituent input, including open regional meetings which provide opportunities for comment by member institutions. The Commission has established a steering committee to consider possible revisions to *Characteristics*, and it expects to publish the next edition in 2001.

The review of policies and procedures begins after the cyclical review of *Characteristics*. In addition, the Commission may develop new policies and procedures at its regular meetings each year. Policies and procedures that are not essentially administrative in nature are submitted to the membership by mail for comment and for approval before final approval.

The Commission invites member institutions to comment on its policies and procedures even when a formal review is not in process. This type of feedback will help to improve Commission practices and keep the Commission in touch with constituent views on important issues that affect policy development.

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POLICY STATEMENT

Code of Good Practice in Accrediting in Higher Education

In accordance with other regional accrediting commissions, the Middle States Commission on Higher Education follows these general guidelines:

(a) arranges evaluations or other visits always in consultation with institutional officers;

(b) permits the withdrawal of a request for *initial* accreditation at any time (even after evaluation) prior to final action;

(c) recognizes the right of an institution to be appraised in light of its own stated purposes so long as those purposes demonstrably fall within, and adequately reflect, the expectations of institutions defined by the Commission in *Characteristics of Excellence in Higher Education*;

(d) considers a program or programs of study at an institution, including its administration and financing, not on the basis of a single predetermined pattern but directly in relationship to the mission, operation and goals of the entire institution;

(e) establishes criteria for accreditation in terms that are manifestly relevant to the quality of an institution, with respect for the principle of institutional uniqueness;

(f) uses only relevant qualitative and quantitative information in its evaluation process;

(g) assists and stimulates improvement in the educational effectiveness of an institution, and to this end is prepared to provide consultative assistance separate from the accrediting process;

(h) encourages sound educational experimentation and innovation;

(i) designs the evaluation process not only to obtain information for visiting evaluators but primarily to stimulate an institution to evaluate and improve itself;

(j) conducts evaluation visits by utilizing experienced and qualified evaluators under conditions that assure impartial and objective judgment, including representation from the staff of other institutions knowledgeable about the types of programs of study offered by the institution to be visited;

(k) appoints visitors who are acceptable to an institution; however, the Commission has final authority in the formation of evaluation teams and follow-up visitors;

(l) cooperates with other accrediting agencies so far as possible in scheduling joint visits when an institution so requests;

(m) provides for ample consultation during an evaluation visit between and among the team members and the faculty and staff of an institution, including the chief executive officer, his or her designated representatives, and members of the governing board;

(n) provides opportunities for interviewing students during evaluation visits;

(o) provides the president of an institution being evaluated an opportunity to review a draft of the evaluation report prepared by the visiting team and to comment on its accuracy before it is submitted to the Commission;

(p) considers decisions relative to accreditation only after an institution has submitted a formal response to the substance of the evaluation report, and when the team chair is present and the views of the evaluation team are adequately represented;

(q) regards the text of the evaluation report as confidential between an institution and the Commission;

(r) permits an institution to make such public disposition of evaluation reports as it desires, provided they are not used to misrepresent its status;

(s) refrains from conditioning accreditation upon payment of fees for purposes other than membership dues or actual evaluation costs;

(t) notifies an institution in writing within 30 days regarding any accreditation decision;

(u) revokes accreditation only after advance notice has been given to an institution that such action is contemplated, and the reasons therefor, sufficient to permit timely rejoinder and to pursue established procedures for appeal and review.

(v) notifies the U.S. Department of Education, appropriate State agencies and the public in accordance with CHE policy and federal regulation.

Regard for Decisions of States and Other Accrediting Organizations

In making accreditation decisions, the Middle States Commission on Higher Education adheres to these guidelines relative to the decisions of States and other accrediting organizations:

(1) The Commission does not accredit or grant candidacy to institutions that lack legal authorization under applicable State law to provide a program of education beyond the secondary level.

(2) The Commission does not grant candidacy, initial accreditation, or renewed accreditation to an institution if it is known that the institution is the subject of: a pending or final action brought by a State agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide postsecondary education in the State; a decision by an accrediting organization, which is recognized by the U.S. Secretary of Education, to deny accreditation or candidacy; a pending or final action brought by a recognized accreditor to suspend, revoke, withdraw, or terminate the institution's accreditation or candidacy; or probation or an equivalent status imposed by a recognized accreditor.

(3) If the Commission grants candidacy or accreditation to an institution described in (2) above, the Commission provides to the U.S. Secretary of Education, within 30 days of its action, a thorough and reasonable explanation, consistent with its standards, why the action of the other accreditor does not preclude the Commission's grant of candidacy or accreditation.

(4) If the Commission learns that an institution that has candidacy or accredited status with the Commission is the subject of an adverse action by another recognized accreditor or has been placed on probation or an equivalent status by another recognized accreditor, the Commission promptly reviews the accreditation or candidacy of the institution to determine if the Commission also should take adverse action or place the institution on probation or show cause.

(5) The Commission shares with other appropriate recognized accrediting organizations and recognized State approval agencies information about the accreditation status of an institution and any adverse actions it has taken against an accredited or candidate institution.

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POLICY STATEMENT

Institutional Responsibilities in the Accreditation Process

Accreditation is the educational community's means of self-regulation through quality assurance and improvement. The accrediting process is intended to strengthen and sustain the quality and integrity of higher education, making it worthy of public confidence and minimizing the scope or exercise of external control.

As stated in the primary document of the Middle States Commission on Higher Education, *Characteristics of Excellence in Higher Education*,

> [T]he extent to which each educational institution accepts and fulfills the responsibilities inherent in that process is a measure of its concern for freedom, independence and quality in higher education and its commitment to striving for and achieving excellence in its endeavors.

There are many ways in which institutions may affirm the value and realize the benefits of accreditation. As each undertakes its institutional self-study and participates in other aspects of the accrediting process, the Commission urges particular attention to several basic institutional responsibilities. The institution's commitment to quality and regard for accreditation fundamentals are reflected in an institution's

- integrity in dealing with its constituencies and the public;
- involvement of administrators, faculty, students, and others in the self-study process; and
- commitment to continuous improvement.

These responsibilities should be considered in the context of the Commission's statements in *Characteristics of Excellence in Higher Education*.

Dealing with Constituencies and the Public

An important aspect of institutional responsibility in accreditation is the integrity with which the institution deals with its constituencies and the public. As noted in the Commission's policy, "Collegiality and Public Communication in the Accrediting Process," the CHE and its member institutions have a *shared responsibility* for maintaining educational quality and public confidence in higher education.

Accreditation rests on trust and good faith in the integrity of institutions and their leaders. The Commission relies on the information conveyed in self-study reports, catalogs, and other institutional publications, and on the findings of visiting evaluation teams. The openness with which evaluators are received and the access they are given to an institution's records are a measure of the trust and good faith necessary to the effectiveness and credibility of accreditation. An institution's responsibility to provide such access and openness is a central aspect of the accrediting process.

CHE holds confidential those documents, such as the self-study and the evaluation team report, that describe an institution's strengths and weaknesses and other information upon which an accreditation decision is based. The policy statement, "Collegiality and Public Communication in the Accrediting Process," notes that "by promoting honest and open analysis in this collegial enterprise, the Commission offers the best path to educational excellence—a path which ultimately serves not only our higher education institutions but the public as well." Although the Commission will make available to the public summary information contained in the "Statement of Accreditation Status," it is the responsibility of the institution to provide any other information pertaining

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to its self-study, evaluation visit, and accreditation status, among other things.

In order to ensure that the public receives accurate information about an institution and to sustain and satisfy its accountability as a recognized accrediting agency, the Commission must be kept informed of any changes—both routine and substantive—that occur between regularly scheduled periodic evaluations. The Commission's policy statement, "Institutional Change," should be consulted about specific procedures for obtaining prior approval of any substantive changes or for determining whether prior approval is required.

An institution's integrity also is measured by how it fulfills its responsibilities with regard to students. The primary responsibility is to assure the fair and equitable treatment of students. The following are examples of ways in which such responsibility can be demonstrated:

- Institutions must ensure that program length and tuition and fees are always appropriate to the objectives of the degrees offered by the institution. For example, should an institution increase the number of credits awarded for a course or program without changing course content, students should not be adversely affected by a corresponding increase in tuition. (See "Substantive Change" policy statement)

- Students must be given the opportunity to submit complaints to the institution. Complaint procedures should be published and accessible to students and a record of complaints maintained. (See "Review of Complaints Involving Affiliated Institutions")

- Institutions participating in federally-guaranteed student loan programs (under Title IV of the Higher Education Act as Amended) and designating the Commission as their gatekeeper agency, must demonstrate diligence in keeping student default rates at an acceptably low level and must also comply with program responsibilities incumbent on institutions participating in the Title IV programs as defined by prevailing governmental guidelines. Institutions whose default rate requires a default reduction plan should share with the Commission their plans to reduce the default rate through prudent institutional policies.

- In the event that an accredited institution closes, the institution is required to develop a teach-out agreement which must be submitted to and approved by the Commission. Although the new federal regulations require that we approve teach-out agreements, the Commission has had this policy for many years. The federal requirement is a reaffirmation of Commission practices designed to ensure that students are provided any instruction promised by the closed institution prior to its closure, at no additional charge and in close proximity to the closed institution. An institution that enters into a teach-out agreement should be able to demonstrate the compatibility of its programs and scheduling to that of the closed institution. The document, "Considerations When Closing a Postsecondary Educational Institution," outlines the procedures and requirements for a closing institution.

Involvement in the Self-Study

Institutional commitment to quality and improvement may be manifested in many ways, but that commitment is clearly demonstrated through the institution's involvement of administrators, faculty, students, and trustees in the self-study process. Although the size of the college or university may affect the number of those participating in the self-study, involvement must be representative of the institution's constituencies.

While administrators, faculty, students, and trustees are essential participants in self-study activities, alumnae, alumni, and representatives of the local community can contribute as well. Whether or not these constituencies are directly involved, an institution demonstrates its commitment through its efforts to keep all constituencies apprised of self-study activities and progress. An evaluation team quickly discovers the level of awareness of the self-study effort on any campus, and that is always an indication of the level of institutional commitment and integrity in the accreditation process.

A Commitment to Continuous Improvement

A fundamental aspect of accreditation is continuous improvement. Because accreditation is a process, not an end result of a self-study or periodic review report, an institution's responsibility to participate in the accrediting process persists throughout the ten-year accreditation cycle. One way in which an institution demonstrates fulfillment of this responsibility is through ongoing review of institutional effectiveness and outcomes assessment.

Outcomes assessment is a tool that allows an institution to determine the extent to which teaching and learning opportunities and outcomes are consistent with the objectives of the institution. The Commission has developed training workshops as well as a handbook to help institutions design, initiate, and conduct effective outcomes assessment programs. The Commission's handbook, *Framework for Outcomes Assessment*, should be consulted for an in-depth discussion of both the conceptual and practical aspects of outcomes assessment.

Institutional responsibility for continuous improvement goes beyond simply conducting outcomes assessment. It is important that the institution use the results to improve teaching, learning, and services on the campus. As stated in *Characteristics of Excellence*, "[O]ne measure of an institution's integrity is its application of data generated through the assessment process to sound planning and resource allocation."

Other Responsibilities

There are other significant responsibilities which an institution must accept as part of its accreditation.

Participation

As a membership organization, the Commission on Higher Education develops its policies and procedures through a democratic process. The Commission, therefore, encourages institutions to participate in the policy development and decision making process within the region. Institutions are given numerous opportunities to provide input and designate the policies and procedures through which accreditation decisions are made. Institutional representatives are often invited to participate in groups for a variety of purposes, including policy and standards development. Annual meetings provide special forums and other opportunities for open and candid discussions of common as well as uncommon concerns. Should these not provide the appropriate venue for an institution's participation, it is the institution's responsibility to find a way to participate actively.

Federal and State Requirements

Institutions are required to meet government guidelines in order to be eligible to participate in the Title IV and other student assistance programs. Some of these requirements are demanded of institutions directly through the Title IV Program Participation Agreement and federal and state regulations. Some examples of these requirements and responsibilities are described in the preceding section on dealing with constituencies and the public.

Other federal requirements for institutions involve the standards and policies of accreditation organizations. For example, the Middle States Commission on Higher Education will consider the institution's program responsibilities under Title IV by reviewing data provided by the U.S. Secretary of Education, including but not limited to recent student loan default rate data, the results of financial or compliance audits, and program reviews.

Institutions also may be required to meet certain state or local requirements in order to be licensed or eligible to operate as an institution of higher education.

The Commission regularly informs its member institutions, other accrediting agencies, and state agencies of the standards and eligibility criteria required by the Commission. The Commission, however, does not act as a clearinghouse for all state, federal, or other requirements. It is the responsibility of the institution, therefore, to be apprised of and comply with any criteria or standards that are required directly by the federal or state governments or by any other external organization. Information on these requirements can be obtained directly from the organizations with which the institution must establish or maintain a working relationship.

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POLICY
STATEMENT

Accreditation Liaison Officer

An Accreditation Liaison Officer (ALO) is appointed by (or may be) the president or chief executive officer of each member institution to work with appropriate individuals and agencies on matters of accreditation. In the selection of the ALO the following points should be considered:

1. knowledge of the institution;
2. visibility on the campus;
3. interest in accreditation;
4. availability of clerical resources;
5. access to institutional data.

Duties of the ALO are:

1. To serve as the central agent on campus for the collection and dissemination of information about institutional and specialized accreditation.

2. To maintain current files of accreditation handbooks and guidelines, self-studies, evaluation reports, schedules of evaluation, and copies of correspondence related to accreditation.

3. To answer inquiries about accreditation and make available appropriate information.

4. To serve as the key resource person in planning and carrying out the self-study for accreditation.

5. To coordinate accreditation programs and schedules if the institution is involved with specialized accrediting agencies.

6. To work with the accrediting body (bodies) in making campus and local arrangements for evaluation visits.

7. To assist in organizing and carrying out follow-up studies and reports that might result from evaluation visits.

8. To prepare brief annual report forms that provide basic information and data.

9. To notify the Commission on Higher Education in advance of substantive changes that are planned.

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POLICY STATEMENT

The Evaluation and Accreditation Process

A Middle States evaluation is a long-range process designed to help an institution analyze its functions, appraise its educational effectiveness, and discover means by which its work can be strengthened. Accreditation is involved, but as a by-product rather than as the primary factor. Accreditation is simply a recognition, after evaluation, that in the judgment of peers an institution is providing the educational services at a level of quality that society and the educational world have a right to expect.

The evaluation process has two parts.The first is a self-study, carried out over an extended period, by the institution's full academic community. This self-study results in a report that both enables the institution to review and reappraise its work as a whole, and it provides visiting evaluators with the background information they need. The second is an evaluation visit by a team of experienced academic colleagues whose function is to review the institution and to give it an informed, searching analysis.

The focus of the team's attention is inevitably the intellectual work of the institution. The institution's organization, administration, facilities, and resources are examined for their effect on teaching and learning. The Commission on Higher Education has no prescriptive criteria or favorite patterns in any of these areas. The team centers its attention on the educational impact of the institution, assessing everything else by its contribution to the purposes for which the institution exists.

Note that the evaluation is still oriented at this stage toward the institution rather than toward the Middle States Commission. The team's report is written for the institution. Therefore it need not describe what is being done; what the institution wants to know is the team's response to and evaluation of what the institution is doing.

The Commission is responsible for actions that relate directly to the accreditation process. It studies all the evaluation materials so that it can form its own conclusions on the quality of the institution's performance. It examines the institution's self-study document, the evaluation team report, and the institution's formal response to that report. The Commission's judgment is expressed in terms of accreditation.

The final step of the accreditation process is the continuing activity within the institution which the evaluation has stimulated. The Commission often suggests follow-up reports in order to give the institution maximum leverage in its program of self-development. Action on accreditation is sometimes deferred until such reports of accomplishment have been received.

By means of the evaluation and accreditation process, the Commission on Higher Education seeks to realize one of the primary purposes of the Middle States Association, the improvement of educational institutions. The self-study carried out by institutions and the constructive interaction of many members of the academic community in the Middle States area contribute directly to this end.

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POLICY
STATEMENT

El Proceso de Evaluación y Acreditacion

El proceso de evaluación de la Comisión de Educación Superior de la Middle States Association es de largo alcance y diseñado para ayudar a una institución analizar sus funciones, evaluar su efectividad educativa y descubrir medios que fortalezcan sus labores.

La acreditación es uno de los factores envueltos; pero mas bien como resultado del proceso que como factor primario. La acreditación es simplemente un reconocimiento, luego de evaluación por colegas, de que la institución provee la calidad de enseñanza que la sociedad y el mundo educativo tienen derecho a esperar.

El proceso de evaluación consta de dos partes.
La primera es la autoevaluación de la institución por un período prolongado hecha por toda la comunidad académica. El resultado es un informe que ayuda a la institución a revisar y reevaluar su labor institucional como un todo y, ademas, proveer el transfondo necesario para que el grupo visitante lleve a cabo su labor efectivamente. La segunda parte es una visita a la institución por un equipo visitante experimentado cuya función es examinar dicha institución y rendir un análisis amplio y profundo sobre sus conclusiones.

Inevitablemente, el foco de atención del grupo visitante es la labor intelectual de la institución.
La organización, la administración, las facilidades y los recursos se examinan en cuanto a su relación con la docencia y el aprendizaje. La Comisión no tiene criterios prescriptivos ni patrones establecidos para evaluar estas áreas. El equipo visitante debe enfocar su atención en el impacto educacional de la institución y examinar todo lo demás a la luz de su contribución al propósito por el cual la institución existe.

Nótese que en esta etapa, la evaluación del equipo visitante está orientada hacia la institución en vez de la Comisión. El informe de equipo visitante se ecribe para la institución, por lo tanto, no es necesario incluír en el una descripción de lo que se está llevando a cabo en ella; lo que desea saber la institución es el juicio del equipo visitante a lo que se está haciendo.

La Comisión es responsable por determinaciones que se relacionen directamente con el proceso de acreditación. Estudia todo el material de la evaluación para luego llegar a sus propias conclusiones sobre la calidad de la obra que lleva a cabo la institución. Luego se examina el documento de autoevaluación, el informe del equipo visitante, y la respuesta de la institución a dicho informe. La reacción de la Comisión se expresa en términos de acreditación.

La etapa final del proceso de acreditación es la actividad continua dentro de la institución que ha sido generada por la evaluación. La Comisión a veces sugiere informes de seguimiento para darle a la institución un máximo de ventaja en su programa autodesarrollo. A veces la acreditación se difiere hasta que se hayan recibido los informes de seguimiento.

Por medio del proceso de evaluación y acreditación, la Comisión de Educación Superior busca cumplir con uno de los objectivos principales de la Middle States Association: el mejoramiento de las instituciones educativas. El autoestudio que llevan a cabo las instituciones, y la interacción constructiva de un gran número de los miembros de la comunidad académica dentro de la jurisdicción de la Middle States contribuyen a éste fin.

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POLICY STATEMENT

Cycle and Timing of Accreditation Review

Accreditation is viewed as a continuing status which, once conferred, is not removed except for cause and then only with scrupulous observance of due process. A responsible accreditation program, however, necessarily includes regular review of accredited institutions, both for their benefit and for the fulfillment of the Commission's accountability to the academic community and to the public. The timing of such reviews varies in accordance with the circumstances of a given institution, and within the Commission's judgment as to how it can best serve the institution's needs while simultaneously meeting its broader accountabilities.

At the time of initial accreditation, reaffirmation, or follow-up, the Commission indicates the nature and timing of the institution's next report. It may also determine the type of evaluation visit which will follow that report; or it may await receipt of the report before deciding on the necessity and/or nature of a visit. [The Commission's review of an institutional report, whether or not accompanied by a visit, constitutes review of an institution's accreditation.]

In no case will an institution be permitted to go longer than five years without reporting to the Commission, or longer than ten years without an evaluation visit. Moreover, if an institution undergoes substantive change or proposes developments and changes that may affect the educational effectiveness of the institution, the Commission reserves the right to review that institution's accredited or candidate status, without regard to any previously indicated schedule. (For a definition and description of approval procedures see the Commission document, "Institutional Change.")

At its best, the periodic review of accredited institutions is a creative means of assisting them in the continuous assessment of their educational objectives and their success in fulfilling institutional goals. Ideally, institutional self-study should be an integral and ongoing activity on every campus, only incidentally related to calendars and accreditation, but constantly keyed to the natural relationship between self-study, assessment, and educational planning. The more self-study and evaluation are seen as directly related to institutional viability and quality, the more productive the self-study and evaluation process will be.

To facilitate these principles, the Commission provides guidance to institutions regarding required reports, as well as about the nature and timing of evaluation visits.

Two of the major purposes of the Commission on Higher Education, among others, are to guide candidate and member institutions as they strive for excellence and to ensure that they continue to meet the criteria for eligibility and membership in the Middle States Association as delineated in the Commission's primary document, *Characteristics of Excellence in Higher Education*. These purposes are accomplished primarily through the Commission's periodic evaluation of all institutions. The timing of these reviews is determined to some extent by the degree of change anticipated or effected in an institution.

Institutions have an obligation and a responsibility to keep the Commission on Higher Education apprised of plans for change and of actual changes in their status. Substantive changes, as defined by the Commission's policy "Institutional Change," require prior approval. The Commission requires that plans for substantive change be reported six months prior to the expected date of implementation unless otherwise indicated by the Commission. The Commission must be current in its information about each institution in order to sustain and satisfy its accountability as an accrediting agency.

Because institutions change rapidly and there is a need to assure their educational quality as they change, the Commission monitors change which occurs between regularly scheduled periodic evaluations in several ways.

All institutions submit for Commission and staff review Annual Institutional Profiles which include information about new initiatives being developed as well as all programs offered off-campus, out-of-state, or through contractual relationships.

Institutions submit reports on a particular area of an institution, either as a stipulation of the accrediting action following periodic evaluation or upon Commission or staff determination of the need for such information.

The Commission may require an evaluation visit focused on specific developments or concerns within an institution, with such visits mandated by the Commission's most recent action or initiated by the Commission or staff because of circumstances existing in an institution (see Commission document, "Institutional Change.")

All institutions submit, in the fifth year following on-site evaluation, a Periodic Review Report. (note: Five years following *initial* accreditation, institutions prepare a full self-study rather than the PRR.) The PRR includes a current general overview of the institution, identification of significant developments and/or changes since the previous evaluation, evidence of continuous self-study, indications of responses made or actions taken with respect to recommendations resulting from the previous evaluation, a summary of fiscal and enrollment data for the previous five years and projections for the next five years, and an outline of plans for the next five-year period. Formal Commission action follows upon review of the PRR. (Complete information on the PRR may be found in the *Handbook for Periodic Review Reports*.)

Through these mechanisms, the Commission is able to monitor and take appropriate action in response to institutional changes.

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POLICY
STATEMENT

Substantive Change

Institutions have an obligation and a responsibility to keep the Commission on Higher Education apprised of plans for certain important proposed or actual changes in their operations and status. The Commission must have current information about each institution in order to sustain and satisfy its accountability requirements as a recognized accrediting agency.

When an institution is accredited, or its accreditation is reaffirmed, that action applies to conditions existing at the time of the Commission's decision. The Commission requires that all institutions be reevaluated periodically because institutions are in continual processes of change. The timing of these reviews is determined to some extent by the nature and degree of change anticipated or effectuated in an institution.

A principle of institutional accreditation is that everything done in the name of the institution is covered by its accreditation. Conversely, anything done without appropriate concern for consistency with an institution's stated mission and concern for quality and integrity may threaten the accredited status of the entire institution. Many changes, such as adding or dropping courses, developing new concentrations within existing programs, developing new programs at existing degree levels, and changing personnel, usually are not "substantive" and therefore may be included within the scope of the institution's accreditation without additional review.

Substantive changes in an institution, however, are subject to review by the Commission both prior to and subsequent to implementation. Substantive changes are not automatically covered by the institution's accreditation or candidate status and may precipitate a review of the accredited or candidate status of the institution.

Substantive change significantly alters the mission, goals, or objectives of an institution; alters the legal status, form of control, or ownership; establishes instruction constituting at least 50% of a degree program in a significantly different format/method of delivery; establishes instruction at a new degree or credential level; replaces clock hours with credit hours; increases substantially the number of clock or credit hours awarded for successful completion of a program; establishes instruction constituting at least 50% of a degree program at a new geographic location; relocates the primary campus or existing branch campus; or otherwise affects significantly the institution's ability to support and to continue the support of existing and proposed programs.

Special programs, off-campus educational activities, and new degree levels may extend learning opportunities to a variety of populations, some otherwise not served. The Commission on Higher Education seeks neither to inhibit such activities nor to diminish creative approaches to them. However, educational programs offered at new degree levels, new locations, or in new instructional formats may alter the purposes and procedures of an institution, the nature of the constituencies it seeks to serve, and its effectiveness or ability to meet its mission. Changes in institutional purposes, in the nature of the potential student body to be served, and/or in the activities undertaken to accomplish these purposes affect the bases of an institution's accreditation and thus necessitate its review. *While the decision to modify an institution is an institutional prerogative and responsibility, the Commission is obligated to determine the effect of any substantive change on the quality, integrity, and effectiveness of the total institution.*

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Guidelines on Select Types of Substantive Change

Clarification and further guidance relative to several categories of substantive change are provided below. This information is not intended to address all possible types of substantive change.

Mission

This includes any significant change in the established mission, goals, or objectives of the institution, including significant changes in constituencies or clientele (e.g. expansion of non-degree or non-credit programs to the extent that these redefine the institution's mission).

Legal Status, Control, or Ownership

This includes a change in the legal status, form of control, or ownership of the institution (e.g. merger or consolidation with another institution; sale of a proprietary institution; beginning or ending public sponsorship and control).

These summaries of definitions drawn from the federal regulations may be helpful:

Control: Control means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a corporation, partnership, or individual, whether through the ownership of voting securities, by contract, or otherwise.

Ownership: Ownership or ownership interest means a legal or beneficial interest in an entity, or a right to share in the profits derived from the operation of an entity. The term does not include the interests of a mutual fund that is regularly and publicly traded, of an institutional investor, or of a profit-sharing plan in which all employees of an entity may participate. A change in ownership of an institution that results in a change of control may include, but is not limited to merger of two or more eligible institutions, division of one institution into two or more institutions, conversion of the institution from a for-profit to a nonprofit institution, sale of the institution, transfer of the controlling interest of stock of the institution or its parent corporation, transfer of the liabilities of an institution to its parent corporation, or transfer of assets that comprise a substantial portion of the educational business of the institution (except where the transfer consists exclusively in the granting of a security interest in those assets).

If the change in ownership is due to the retirement or death of the owner, and the ownership is transferred either to a family member or to a person with ownership interest who has been involved in the management of the institution for at least two years preceding the transfer, the institution should contact the Commission's staff liaison to determine whether approval or review is necessary.

Alternative Program Delivery Methods

This includes instruction constituting at least 50% of a degree program that represents a significant departure, in terms of either the content or method of delivery, from those assessed when the institution was most recently evaluated (e.g. distance learning; correspondence courses).

Although an institution may have offered one or more **distance learning** *courses* in the past, the Commission requires that the institution receive prior approval through the substantive change procedures before offering 50% or more of a degree *program* through distance learning. The 50% standard includes only courses offered in their entirety via distance learning, not courses utilizing mixed delivery methods. At its discretion, the Commission may determine that only specified program(s) delivered through alternative methods are included within the scope of accreditation.

The Commission requires that the first two programs for which 50% or more is offered through distance learning be submitted for Commission review and prior approval. After the second program has been reviewed and approved by the Commission, subsequent programs offered through distance learning must be reported via letter to the Commission staff liaison assigned to the institution. Only in special circumstances will these further programs require formal Commission review and action.

New Degree Levels and New Programs

Any program at a new degree or credential level must receive Commission approval prior to implementation. This includes certificate programs at the pre-baccalaureate and post-baccalaureate level if such programs are not currently offered by the

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institution and included within the scope of its accreditation. At its discretion, the Commission may determine that only specified program(s) at the new degree level are included within the scope of accreditation.

Ordinarily, new programs at an existing degree or credential level do not require Commission review. However, the addition of such programs may necessitate prior approval if these new programs significantly alter the mission of the institution or affect significantly the institution's ability to continue to support existing and proposed programs. Institutions should consult with Commission staff before submitting substantive change proposals for programs at an existing degree level.

Branch Campus

A branch campus is a location of an institution that is geographically apart and independent of the main campus of the institution. Branch campuses may be domestic or international. The location is independent if the location: offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; has its own faculty and administrative or supervisory organization; and has its own budgetary and hiring authority.

Additional Locations

An additional location is a location, other than a branch campus, that is geographically apart from the main campus and at which the institution offers at least 50 percent of an educational program. Additional locations may be domestic or international. This includes corporate sites and locations for limited, rather than ongoing, provision of programs. (These additional locations will be visited consistent with the conditions detailed later in this document.)

Contractual Agreements

Any contractual agreement with a non-regionally accredited institutions or organization for that institution or organization to provide program(s) on behalf of the accredited institution is subject to Commission review. This includes degree completion programs developed by third parties. (See also the Commission policy on *Contractual Relationships with Non-MSA Accredited Organizations*.)

Commission Review: Considerations

Key considerations for the Commission throughout its review of institutional changes are these:

1) the extent to which the change is consistent with and reflective of the stated institutional mission and goals;

2) the availability of resources (personnel, physical, library/information, etc.) necessary to support the proposed change; and

3) the likely impact on the institution's existing programs and services.

The Commission is concerned primarily with for-credit courses and programs offered by an institution. This includes non-degree courses offered as part of a certificate program (pre-baccalaureate or post-baccalaureate). Non-credit courses and community services offered in response to constituency needs do not normally fall within the purview of this policy, unless they become a major component of the institution's activities. Nonetheless, the Commission expects that established institutional procedures will ensure their quality and integrity, and will ensure that these offerings do not affect negatively the institution's ability to meet its mission.

New degree levels, off-campus activities, and special programs offered for credit toward a degree initiated after an institution's most recent evaluation are NOT automatically included in its accreditation.

Consistent with the information provided above, the Commission must take specific action with respect to such programs.

Institutions planning a substantive change have the responsibility to inform the Commission on Higher Education in advance, following the procedural guidelines given below. ***PRIOR APPROVAL*** *of the plan for substantive change* ***IS REQUIRED*** *before the change is included in the institution's previously granted candidacy or accreditation status.*

Failure to receive prior approval may result in Commission action to place the institution on probation or warning until the institution has followed the Commission's procedures for substantive change approval and the Commission has acted to include the change within the scope of accreditation. The Commission may direct the institution to inform students and/or prospective students that a program or site is not included within the scope of accreditation.

Procedures

Notification to the Commission on Higher Education

Changes that are substantive must be reported to the Commission **prior** to the planned date of implementation, consistent with the timetable for submission detailed under "Commission Action/ Determination of Status." Notification should be by letter directed to the Commission's Executive Director or the staff liaison assigned to the institution; **the Institutional Profile annual update is NOT an appropriate vehicle for notifying the Commission of a substantive institutional change.**

Although the policy on substantive change applies to candidate and accredited institutions, these procedures apply to accredited institutions only. ***Candidate*** institutions that undergo substantive change must submit to a review of their candidate status (status review visit) as detailed in the Commission's handbook *Candidacy for Accreditation*.

If the institution is uncertain whether the proposed change is substantive or routine, the institution should contact the designated staff liaison by phone, e-mail or letter with preliminary information on the nature and purposes of the activities. This should be done as early in the planning process as possible. Based on this preliminary review, the staff liaison will advise the institution and send confirmation by letter if appropriate.

If the institution knows the proposed change is a substantive one or if the proposed institutional change is determined to be substantive based on staff review, five full copies of the following information should be provided:

1. a one-page executive summary of the substantive change proposal
2. statement of the nature and purposes of the activities, including relevance to the current institutional mission
3. basic planning documents indicating:
    - a. evidence of need for the activities
    - b. intended constituency
    - c. legal authorization to conduct the program(s)
    - d. a business plan, including the budget and other information showing adequate financing for the projected activities

      [Note: If the proposed change is to establish a branch campus, include a description of the educational program to be offered at the branch; the projected revenues and expenditures and cash flow at the branch; and the operation, management, and physical resources at the branch campus.]
    - e. governance and administrative organization
    - f. provisions for faculty, library, facilities, and other needed resources
    - g. records of institutional procedures followed in approving the activities
    - h. copies of contractual arrangements, if any
4. analysis of the impact of the proposed change on the rest of the institution
5. publications announcing and/or describing the planned activities, if available
6. any other information critical to an understanding of the proposed activity

If an institution has prepared materials for approval by another agency, the institution is encouraged to utilize these materials, supplementing them as needed to meet the above information requirements.

Evaluation by the Commission

All *substantive changes* are brought to the Commission's Committee on Substantive Change for review. This Committee has been authorized to act on behalf of the Commission, although it may refer any substantive change proposal to the full Commission for further review.

Action/Determination of Status

In order to assure timely review and response, institutions preparing substantive change reports should adhere to the following timetable:

submit report by:	**for Committee review at its meeting in:**
September 15	October
November 15	December
January 15	February
March 15	April
May 15	June
July 15	August

The range of possible Commission actions includes:

- to accept the report submitted by the institution, and to include the change within the scope of the institution's accreditation
- to accept the report submitted by the institution, to include the change within the scope of the institution's accreditation, and to request a follow-up report (timing and topics to be designated by the Commission)

  [Note: The Commission also may direct the institution to provide follow-up analysis on the implemented change *within* the next regularly scheduled self-study or Periodic Review Report.]
- to accept the report submitted by the institution, to include the change within the scope of the institution's accreditation, to request a follow-up report, and to direct a follow-up visit (timing and topics to be designated by the Commission)
- to accept the report submitted by the institution, to include the change within the scope of the institution's accreditation, and to direct the institution to commence early self-study in preparation for an evaluation team visit (timing of visit to be designated)
- to accept the report and to include the change provisionally within the scope of the institution's accreditation, pending receipt of a follow-up report and/or on-site visit

  [Note: Provisional inclusion requires further Commission review and action following the requested report and/or visit.]
- to deny the institution's request to include the change within the scope of the current accreditation (reasons and any subsequent steps to be followed will be specified)

Following further review and action, other actions consistent with the Commission's standard follow-up and evaluation procedures (including actions of warning, probation, show cause and removal of accreditation) may be taken when warranted.

Site Visits/On-Site Review

In order to meet its obligations as an accrediting agency, the Commission, as part of its information gathering activities, may direct a site visit to an institution planning or undergoing change.

Such a visit may be directed prior and/or subsequent to Committee or Commission action on the proposed change.

Under federal regulations, however, the Commission is required to conduct a ***site visit within six months*** in the following instances:

- when an institution undergoes **a change in ownership or control.**

  [note: See definitions provided earlier.]
- when an institution **establishes a branch campus**

  [note: See definitions provided earlier.]
- when an institution **establishes a new additional location** (defined above as a location, other than a branch campus, that is geographically apart from the main campus and at which the institution offers at least 50 percent of an educational program) **and the institution has *three or fewer* additional locations**.

  However, even if the institution has more than 3 locations, the Commission may conduct an on-site visit if it has serious concerns about the institution (e.g. the institution has been placed on warning, probation or show cause or is subject to some type of limitation on its accreditation) or if, in the Commission's judgment, the institution has failed to demonstrate that it has either the administrative and fiscal capacity to operate the additional locations it has already established or a proven record of effective educational oversight of

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additional locations.

The first additional location abroad will be visited, even if the institution has three domestic additional locations.

The Commission and its staff will determine the individual(s) best suited to carry out the site visit. Written reports from such visits will be reviewed by the Committee on Follow-up Activities, and recommendations will be submitted to the Commission for action.

Follow-up Reporting

Either through specific follow-up activities directed by the Commission, as part of the Periodic Review Report or self-study, or at the institution's initiative, the institution is expected to inform the Commission at critical stages in the implementation of the substantive change and to keep the Commission apprised of critical developments.

When an institution has implemented new degree levels, off-campus educational activities, contractual arrangements with non-regionally accredited agencies, or other substantive new programs, such progress reports should assess: institutional mission and goals, in relation to the implemented change; achievement of educational objectives; faculty and instructional methods; fiscal, physical, and learning resources; curriculum (specific courses, modes of evaluating and granting credit); and student support services.

After review of the follow-up information (whether presented separately or as part of a self-study or PRR), the Commission may require further review including, where appropriate, on-site evaluation of the activities, complete re-evaluation of the entire institution, or such other measures as the Commission may determine.

Extra-Regional Activities

In the review of programs or other educational activities not separately accreditable but conducted by an institution outside its own accrediting region, representatives of the commission in that region will be invited to participate in any on-site evaluation conducted by the accrediting commission of the region in which the parent institution is located.

An instructional site located in a region other than that of its home campus, if it functions independent of operational control of the parent college or university, must seek separate accreditation in the region in which it exists (not including the Middle States region if the parent institution is accredited by Middle States).

An instructional site will be deemed operationally independent and accreditable by the host region when it meets the following criteria:

The instructional site:

1. has, under board policy, substantial financial and administrative independence from the home institution, including matters related to personnel;
2. has a full-time chief administrative officer;
3. is empowered, under board policy, to initiate and sustain its own academic programs;
4. has degree-granting authority in the state or jurisdiction in which it is located.

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POLICY
STATEMENT

Collegiality and Public Communication in the Accrediting Process

The Commission and its member institutions share a responsibility for maintaining educational quality and public confidence in higher education. Both tasks require a rigorous sense of accountability: to the higher education community and to one's colleagues within each institution, and to the many public communities of interest that depend upon accreditation for assurances of educational quality and integrity.

Many people associate the term "accountability" only with external demands and regulations, but the notion of accountability is implicit in and essential to genuine self-regulation and the principles of voluntary accreditation. The Commission's view of accountability involves two important principles: **collegiality** in the accrediting process and **communication** with the public. As stated in *Characteristics of Excellence in Higher Education*:

> Accreditation is the means of self-regulation and peer review adopted by the educational community. The accrediting process is intended to strengthen and sustain the quality and integrity of higher education, making it worthy of public confidence and minimizing the scope of external control. The extent to which each educational institution accepts and fulfills the responsibilities inherent in the process is a measure of its concern for freedom and quality in higher education and its commitment to striving for and achieving excellence in its endeavors.

Collegiality

Self-regulation—the cornerstone of voluntary accreditation—can be accomplished most effectively through a collegial process of institutional reflection and self-examination. Clearly, the strength of voluntary accreditation lies in the strong sense of collegiality, in the mutual trust and openness between the Commission and its member institutions without which genuine self-study and evaluation would not be possible.

Unless institutions analyze themselves and peer reviewers undertake their evaluation with complete candor, the integrity of the accreditation process and the goals of self-regulation and institutional improvement are compromised. Although certain aspects of institutional status are communicated to the public, the Commission regards the evaluation process itself and all information received in that process as confidential, to be shared only among colleagues engaged in the accrediting activity. By promoting honest and open analysis in this collegial enterprise, the Commission offers the best path to educational excellence—a path which ultimately serves not only our higher education institutions but the public as well.

Public Communication

Accrediting agencies and institutions do not earn public confidence simply by stating that they operate with integrity. We must demonstrate integrity in our actions and communicate clearly to the public not only our purposes but also whether and how these purposes are being achieved. While maintaining the inviolability of the self-study and evaluation process, Commission policies provide for sharing with the public essential information about its standards, its procedures, and the status of its constituents.

Institutions, as well, must hold themselves accountable for honest communication with the public on institution-related issues in which the public has a legitimate interest. Such openness is not always easy; yet to the extent that each institution assumes this responsibility, its autonomy will be strengthened and its freedom from external controls will be enhanced. Beyond these pragmatic considerations, the Commission holds honest public communication to be a matter of ethics—in essence, a reflection of institutional integrity as noted in the Commission's accreditation standards:

> A significant measure of an institution's quality is the integrity with which it communicates and interacts with its constituencies and the public. This integrity is reflected in the honesty, openness, and concern for its constituents that an institution reveals in the establishment and conduct of its programs.

The following guidelines, intended to sustain the principles of both collegiality and public communication, describe not only the confidential aspects of accrediting activity but also institutional and Commission responsibilities for public communication in the accrediting process.

Background

The Commission's *ad hoc* Committee on Confidentiality and Public Disclosure prepared the following statement in 1990 as a composite of existing CHE policies on that subject.

The Committee discussed the use of such terms as "confidentiality and public disclosure" but decided that they bore a legalistic stamp and emphasized the conflicting, almost adversarial quality of these two ideas. Therefore, the Committee focused the policy statement on the terms "collegiality" and "public communication," underscoring their relevance to the concept of self-regulation and capturing what we regard as the essential precepts underlying the confidentiality/disclosure issue.

I. General Guidelines

The general guidelines for the Commission's policy on collegiality and public communication are based on and fall within the limits established by the MSA Bylaws. The Commission shall:

> Subject to lawful court order or decision by the Commission or its Executive Committee, keep the records relating to the evaluation or accreditation of any present, prospective, or former institutional member of the Commission confidential. Such records shall not be disclosed outside the Association without the prior written consent of the governing authority of the institution concerned or where a Commission has adopted provisions with respect hereto.
>
> Other than the report of a visiting team and Commission minutes relating to an accreditation action by such Commission, no document relating to such action shall be released to the institution itself without written approval by the Commission, or its Executive Committee.
>
> The Commission and the Board of Trustees shall cooperate with respect to such matters where a matter of principle, affecting another Commission of the Association, may be involved.

With prior institutional permission, the CHE may allow access to self-studies or PRRs: a) to representatives from other member institutions to assist in their own internal review processes; b) to CHE evaluators and team chairs for training purposes; c) to educators engaged in research to improve the accrediting process; and d) to CORPA and the U.S. Department of Education (ED) in conjunction with the recognition process for the Commission on Higher Education. Copies of such self-studies or PRRs so released shall be marked "Confidential—Property of [institution]."

As part of the accrediting process, the CHE distributes **confidential** copies of evaluation team reports to the members of the Commission, members of the evaluation team (not Evaluation Team Associates), heads of multi-unit and regional systems, and in joint evaluations, with the chief executive officers of the other accrediting agencies involved. Unless explicitly permitted in writing by the institution, the Commission does not share evaluation team reports with governmental or any other agencies, public or private, or with individuals.

These guidelines underscore the point that self-studies and evaluation team reports (and the parallel documents in the Periodic Review process) become the property of the institution following Commission review; thus, the ultimate responsibility for distributing or providing access to these documents rests with the institution.

II. Self-Study and Periodic Review Reports

The very nature of the self-evaluation process requires that institutions share their Self-Study Report and Periodic Review Report with the constituent groups that contributed to these reports. If the internal review process is extended to include community representatives and others not based on campus, institutions should extend the distribution of or access to the Self-Study Report to include these participants.

III. Evaluation Team Reports

An institution may release its team report to any audience after final Commission action. Indeed, the Commission on Higher Education **requires the institution to make the report readily available or distribute it as widely as possible on campus, since the report is addressed to an institution's entire constituency—administration, trustees, faculty, students and staff.**

When distributing the report, however, the institution should indicate that the report does not constitute a summary of the entire MSA/CHE evaluation process; it is only the report of the team that visited the institution. Since the CHE's review processes sometimes result in an accrediting action other than the one recommended by the team, misunderstandings may occur if it has not been made clear that the report is only one piece of a much larger whole which includes the institutional self-study, the site visit, CHE committee review, and deliberations of the full Commission on Higher Education.

When an institution has misrepresented a team report, misquoted excerpts from the report, or otherwise used the report to create a misleading impression about the institution's accredited status, the Commission reserves the right to release the full report to the public. Excerpts must be accompanied by a note saying that a copy of the entire report in available upon request. The Commission always will endeavor to settle such issues first with the institution.

IV. Institutional Response to Visiting Team Reports

The self-study process is based on collegiality, which makes possible the honest institutional self-appraisal that leads to improvement. The institutional response to the team report is an integral part of this process. Just as constituent groups should receive copies of the team report, so too should they receive or have access to the formal institutional response. In addition, the institutional response should not be construed as a "Presidential Response," the sole product of the president and senior administrators. Reacting to the team report and helping to frame the response is, in fact, a further extension of the self-study/evaluation process and should involve as wide a constituency as possible, especially those who participated in producing the self-study.

V. Other Accrediting Documents and Records

Correspondence between the Commission and a member or applying institution should be treated confidentially by both parties. With prior notice to the institution, the CHE may share such correspondence between the Commission and a member or candidate institution on a confidential basis with other recognized accrediting bodies or with the Commission on Recognition of Postsecondary Accreditation (CORPA) and/or the U.S. Department of Education (ED) in conjunction with the recognition process.

Minutes of CHE Executive Committee, Commission, and committee meetings shall be available to members of the MSA Board of Trustees, members of the Commission on Higher Education and to the CHE professional staff. Commission meeting *Minutes* related to action and business of the Commission are available to MSA Board members and the Association Secretary/Business Manager; members of the Commission on Elementary Schools and Commission on Secondary Schools and their professional staffs; and to the Executive Director of CORPA and Executive Directors of the regional accrediting associations.

VI. Commission Actions on Institutional Accreditation Status

After each CHE meeting, the Commission publishes in the *CHE Letter* a list of institutions for which accreditation has been granted or reaffirmed, candidacy status granted, or for which other action has been taken and publication is required by Federal law or regulation. Institutions which have voluntarily withdrawn from membership in MSA or have withdrawn their candidacy for accreditation are also listed. For institutions which have appealed a negative Commission decision, the final action is published only after the appeals process has been completed. In accordance with U. S. Department of Education (ED) recognition criteria for accrediting agencies, the Commission notifies ED and appropriate State agencies or other accrediting agencies within 30 days of all final actions.

In keeping with Federal regulation, the Commission makes available a brief statement summarizing the reasons for an adverse action or any other action specified by Federal regulation and any comments or response submitted by the institution. The Statement is made available to the Secretary, the appropriate State agency and the public upon request

After each meeting, the CHE also updates the Statement of Affiliation Status (SAS) for each member or candidate institution by recording the date and nature of the Commission's action to the extent required by CHE policy or applicable by Federal law or regulation. Upon inquiry, the Commission will disclose **in writing** information contained in the institution's SAS, within the guidelines provided by the Statement of Affiliation Status policy. No information regarding Commission action on an institution is disclosed under any circumstances until the institution itself has received written notice from the Commission.

In the case of an adverse Commission action or an action perceived as negative by the institution, the Commission will work with the institution to develop a joint statement about the action for use in responding to public inquiries. If the institution decides to file an appeal, information about the appeal will be included in the joint statement. The CHE will direct further public inquiries to the institution itself if additional information is requested. (See the Commission's policy on Statement of Affiliation Status for more details.)

In the event that an institution misrepresents the accreditation action taken by CHE or the institution's accreditated status, the Commission reserves the right to make a public statement regarding the action or status. The Commission will always endeavor to settle such issues with the institution first.

VII. Communication and Information Sharing with State Agencies

Institutions may share with State agencies self-studies, PRRs, and evaluation reports and their responses to these reports. It is the institution's responsibility to determine whether and when to share an evaluation team report and related responses with a State agency. Commission policy is to submit evaluation team reports only to the individual institutions but to share final accreditation actions with State agencies. (See the policy on "Working Relations Between State Agencies and the Commission on Higher Education" for a comprehensive statement on this topic.)

VIII. Public Statements by Institutions

The Commission recognizes the paramount importance of objectivity and fairness in the conduct of its affairs and in its relations with individual institutions. Should an institution choose to contest a decision of the Commission, an appeals procedure is provided for in the Bylaws of the Middle States Association and delineated in the document *Procedures for Appeals from Decisions of an Accrediting Commission of the Association*. If an institution publicly takes issue with an official CHE action (relating to that institution), the institution waives the confidentiality of the procedings resulting in such action.

The Commission reserves the right to request additional information from the institution concerning any institutional action or policy that may affect any matter within the Commission's jurisdiction.

IX. Other Published Information

In addition to the Commission actions listed in the *CHE Letter*, the following information about each institution will be identified in the Commission Directory of Member and Candidate Institutions:

name of institution, address, telephone number, name of chief executive officer, and chief academic officer; degrees offered and type of institution; institutional control; enrollment; affiliation; date of initial accreditation and most recent reaccreditation; for candidate institutions, date when candidacy granted; other instructional locations.

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POLICY
STATEMENT

Accreditation of United States Institutions Outside the United States

Preamble

Under its charter and in fulfillment of its mission, the Commission on Higher Education of the Middle States Association of Colleges and Schools (CHE/MSA) has extended accreditation to a number of U.S. institutions outside the U.S. and its territories, beginning in 1973. The policy statement under which these institutions were granted accreditation stated that they were "intended primarily to serve U.S. nationals abroad."

No definition of an American institution was formalized in this policy statement, but procedures and practices developed incrementally. The institutions underwent re-accreditation at appropriate intervals and gradually became actively involved in Commission operations, including workshops, annual meetings, and evaluation of study abroad programs in Europe.

There may be confusion among institutions and governments abroad about the meaning of accreditation because peer evaluation and collegial responsibility for excellence in higher education are uniquely American. Students and their parents are unaware of differences between such phrases as "registered," "licensed," or "offering courses which may be accepted for credit in the U.S." Confusion exists, and in some cases fraudulent practices lead to disillusionment and disappointment with what is erroneously described as American.

The need for a national policy on accreditation of international free-standing institutions cannot be overemphasized. Only in this way can the reputation and integrity of American higher education be truly safeguarded. The Commission will use its good offices to encourage adoption of a national policy. Pending the adoption of such a policy by all of the regional accrediting agencies, the Commission will resume activity in this area.

In providing opportunity for the accreditation of qualified U.S. institutions overseas, CHE/MSA affirms its commitment to the value of peer evaluation and the collegial process through which colleges and universities strive for excellence in American higher education. It also affirms its commitment to the importance of international and intercultural education in the lives of students and faculty.

The Policy Statement

An institution of higher education, established under American auspices outside the United States and its territories, chartered or licensed to award academic degrees by the appropriate agency of a state within the Middle States region, the District of Columbia, Puerto Rico, or the U.S. Virgin Islands, may initiate application for institutional accreditation provided the following threshold conditions are met:

It is appropriately chartered, licensed, and approved for collegiate/university level, degree-granting purposes.

It has a governing board with a majority of United States citizens in its membership, operating with policies and procedures consistent with the standards outlined in the *Characteristics of Excellence in Higher Education* and the Commission on Higher Education policy statement on governing boards.

A majority of its faculty members are knowledgeable about American higher education through earned United States degrees and/or experience, and their academic qualifications are equivalent to American graduate degrees.

- It offers credit-bearing courses and operates on an American-type academic calendar.
- The primary language of instruction is English.

The Commission on Higher Education will entertain letters of interest from institutions which meet these minimum conditions, but those institutions must then meet all the requirements delineated in the manual, *Candidacy for Accreditation*. Institutions considering applying for candidate status with the Middle States Commission on Higher Education should also consult relevant MSA publications, such as *Characteristics of Excellence in Higher Education*, *Framework for Outcomes Assessment*, and "Functions of Boards of Trustees in Higher Education."

The Commission on Higher Education reserves the right to alter the threshold conditions when appropriate.

The overseas institution will bear all costs of assessment, evaluation, and staff and evaluator visits.

All inquiries should be addressed to the Executive Director, Middle States Commission on Higher Education.

Adopted by FRACHE 1968
Reissued by CHE February 1978
Moratorium in effect 1993
Revised policy statement adopted by Commission
  and moratorium lifted June 1996
Policy adopted by membership February 1997

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POLICY
STATEMENT

Appraisal of Readiness for Initial Evaluation

The appraisal of readiness is the final preparatory step in a Middle States evaluation for initial accreditation. It is a one-day exploratory visit by the chair and one other member of the evaluation team, after they have studied the draft of the institution's self-study report. The purpose of the visit is to counsel the institution as to whether it actually appears to be ready to receive a full team visit.

The appraisal visitors cannot predict the outcome of the evaluation. All they can do is help an institution to guard itself against the frustration and embarrassment of an obviously untimely attempt. The appraisal visitors are consultants whose single purpose is to help the institution determine whether it is ready for an evaluation visit; their report does not affect the accreditation decision in any way.

An appraisal visit should cause no tension. The institution is not trying to defend itself or to prove anything. It is asking for candid advice, which it may or may not take. The function of the appraisal team is to give the institution clear and informative answers to these questions:

1. If you were in our place, would you ask for full evaluation now, or would you want more time to prepare it?

   This is a key question. Visitors cannot assess an institution in depth during a one-day visit, and they should not try. However, the visitors can gain basic impressions about the institution, and their perspective may enable them to detect in the institution's preparation lacunae that are less clear to those closer to it.

2. Do you see ways in which we might improve the clarity and usefulness of our evaluation materials before we send them to the full teams?

The Report

The appraisers will make a major part of their report orally, during informal conversation and discussion, before they leave the campus. Immediately afterward, the chair should answer the two appraisal questions formally in a letter to the head of the institution, sending copies to the appraisal team colleague and the to executive director of the Commission. There must be no delay at this point, because the institution must plan immediately.

The head of the institution then decides (in consultation with the Commission staff, if desired) whether to proceed with the full evaluation at a specified time.

Checklist for an Appraisal Visit

1. The chair takes the initiative in contacting the head of the institution, usually by telephone, to set the date for the appraisal visit, which must take place at least eight to ten weeks before the scheduled evaluation visit.

2. If it is mutually convenient and appears desirable, the chair may make a brief personal visit to the campus prior to the appraisal to get acquainted with the institution.

3. The institution reserves single rooms for its appraisal visitors in a nearby hotel or motel.

4. The institution completes its self-study report in *draft form* and sends its complete evaluation materials to both visitors at least two weeks before their appraisal visit. No *copies are to be sent to the Commission office at this time.*

5. The appraisal visit requires a full day. It usually, but not necessarily, begins late one afternoon and ends late the next afternoon.

6. After the visit, the appraisal chair gives the team's advice by letter to the head of the institution, as noted above. No other report is needed.

7. The head of the institution then makes a decision about the timing of the evaluation and notifies the Commission office in writing.

8. If the decision is to proceed, the self-study report is completed in final form, and evaluation materials should reach the individual team members at least four weeks (preferably six weeks) prior to the date of the full team visit.

9. If the decision is to delay, further plans are made, in consultation with the Commission staff.

Expenses

Appraisal visitors send their expense vouchers to the Commission office for reimbursement. The institution pays directly for the visitors' rooms and meals.
The Middle States Association then bills the institution for a processing fee, plus honoraria and travel expenses for the visitors

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November 1964
February 1984
Revised 1998

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POLICY STATEMENT

Selection of Evaluation Teams and Chairs

The Commission staff is responsible for composing evaluation teams and assigning persons to chair, always in light of each institution's specific situation. General requirements for the team, but not specific persons, are usually discussed with the officers of the institution. Chairs and team members must be acceptable to an institution, and changes will be made immediately upon formal request from the institution's chief executive officer. Final determination of the team's membership, however, rests with the Commission. The person chairing is appointed as far in advance as possible, and as soon the team roster is completed and forwarded to the institution as dates for the evaluation are set.

The Commission maintains a substantial active file of educators who participate in the evaluation and consultative activities of the Commission. Individuals are recommended by the heads of institutions, colleagues who have themselves participated in the evaluation process, Commission members, and by the Commission staff. Periodically, institutional heads are asked to review the roster of persons from their institutions, to update it, and to suggest additional candidates for evaluation assignments. While an institution has a veto over persons assigned to an evaluation team, the Commission relies on the personal and professional integrity of individuals to refuse any assignment where even the slightest potential for conflict of interest exists.

A. Current Practice in Designating Team Chairs:

1. The person chairing the team is the key person in the evaluation process. He or she must be of sufficient professional stature to command the respect of the institution, prepared by experience to understand it, and able to represent the Commission properly. Therefore, one who is asked to take a chairing assignment will ordinarily have:

   a) a solid and varied professional background relevant to the institution which is to be evaluated, preferably including teaching;

   b) attained a substantial position in his or her own institution;

   c) experience as a member of several evaluation teams.

2. In addition, the following guidelines are adhered to the greatest extent possible possible:

   a) Chairs are assigned to institutions outside their own states. They are not assigned to neighboring or competing institutions or to institutions in which they have been employees or candidates for employment.

   b) Religion is not a major consideration in assigning teams. Difference is more likely to be sought than similarity.

   c) If possible, each commissioner takes one major evaluation assignment a year.

B. Current Practice in Constructing Teams:

1. In constructing teams, staff consider the following guidelines:

   a) Teams are composed of at least six but typically eight persons to assure a variety of view points and adequate coverage, with exceptions for very small units or larger, more complex institutions..

   b) Beyond the minimum, team size depends more on the multiplicity and diversity of the institution's programs than on its enrollment.

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c) The team should be large enough so that the chair does not need to undertake a major particular assignment on campus.

d) The respective state education departments are invited to designate a representative to accompany most Middle States teams, at the department's expense. While not a member of the team, the state representative normally attends the team conferences and participates in its deliberations, but he or she does not directly contribute to the team report or to the accreditation recommendation to the Commission.

2. An evaluation team preferably should include:

a) Persons from institutions of the type to be evaluated.

b) Others from dissimilar institutions.

c) Most of the members with previous Middle States team experience.

d) Women and minority members, including Spanish-speaking individuals for institutions that have sizable Spanish-speaking student enrollments.

e) So far as possible, team members from a state other than that of the institution to be evaluated.

f) At least one experienced administrator, preferably a president unless the chair is a president, drawn from the type of institution to be evaluated, and specialists whose expertise is related to the needs of the institution, e.g., finance, student personnel, learning resources, etc.

3. Academic distribution:

a) The team as a whole should represent, in a balanced fashion, the principal academic and professional disciplines of the institution to be evaluated.

b) The team must include teaching faculty members in some of the disciplines or subjects that are important in the offerings of the institution, including:

- a qualified, experienced evaluator for areas or clusters of career-oriented programs,
- a graduate dean or professor if the institution offers graduate programs, and
- a practitioner if the team is visiting a single-purpose institution

c) Individuals with special expertise to be assigned at the request of the institution or if the Commission staff believes they are necessary.

4. When off-campus centers are to be visited, account must be taken of this in regard to the size and academic distribution of the team.

5. If curcumstances warrant, a trustee may be assigned to the team.

6. In special circumstances, if the institution and chair agree, students may be assigned to the team as observers or full members.

7. Persons from secondary education may also be assigned to teams with the institution's approval, a practice especially useful in the improvement of articulation between levels of education.

C. Appraisals of Readiness:

1. See statement on Appraisal.

2. Persons chairing should be experienced evaluators, as should their associates.

3. In the event that the appraisal recommendation is for postponement, a new chair may be desirable for the evaluation team visit when it occurs, but this should be determined in consultation with the individuals and the institution.

4. Unless the institution requests a second, there is usually only one appraisal visit.

D. Special Follow-up Visits:

1. When the Commission specifies a follow-up visit, the number of visitors will be determined by the nature of the issues, but normally one to three visitors should suffice.

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POLICY STATEMENT

Evaluation Team Associates

Service on a Middle States evaluation team has long been recognized as an opportunity for professional education. In order to extend the availability of this opportunity, the Commission on Higher Education may appoint one associate to accompany an evaluation team, provided that the institution to be visited and the team chair agree.

Appointment as an evaluation team associate is available to faculty members and administrators of candidate and member institutions, scholars or academic administrators visiting from abroad, or professionals at education-related organizations. Institutions preparing for evaluation find it especially useful to secure such appointments so that staff members gain a general understanding of the accreditation process. In every case, however, associate appointments are made solely for the professional development of the individual and for the benefits to be gained for his or her institution; they do not necessarily lead to future assignments to evaluation teams.

Once appointed, the Associate will receive full information about the evaluation visit to be made. An evaluation team associate has access to all the materials a team receives, is housed with the team, works closely with it under the direction of the chair, and participates in the team's conferences. However an associate does not contribute directly to the team's evaluation report or to its recommendation regarding accreditation. Nor does an associate automatically receive a copy of the team's report, although the institution may send a copy at its discretion. In each instance, an associate is required to keep confidential all information relating to and learned in preparation for or during the visit.

Evaluation team visits for an institution's initial or decennial reaccreditation typically last three days, and evaluation team associates are expected to participate for the entire period. Associates are not normally assigned to small teams which visit institutions for special purposes, which typically occur between decennial visits and are for shorter periods of time.

There is no fee for the evaluation team associate's home institution. However, the Commission will compensate the host institution $400 for its expenses, such as the cost of meals at the evaluation site, transportation while on campus, materials, and incidentals such as postage. In addition, the associate or the associate's home institution is responsible for paying directly for lodging at and travel (including incidental travel costs) to and from the evaluation location.

Institutions wishing to place staff members as evaluation team associates should write to the evaluation services coordinator at the Commission.

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Revised: 1993
Revised: June 1997
Revised: January 2001

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POLICY STATEMENT

Conflict of Interest Guidelines

for Team Chairs and Evaluators

The purpose of the attached "Conflict of Interest Statement" is to document the efforts taken by the Commission to maintain the integrity, credibility, and codes of good conduct in the accreditation process; and to avoid actual conflicts, potential conflicts, or even the appearance of conflicts of interest in the Commission's decisions.

The intent of the Commission is to:

maintain credibility in the accreditation process and confidence in its decisions

assure fairness and impartiality in decision-making

avoid allegations of undue influence in the accreditation process; relationships that might bias the actions, deliberations, or decisions of the Commission; conflicts that would impair judgment; and circumstances that could interfere with an individual's capacity to make objective, detached decisions

assure opinions free of self-interest and personal bias

disclose an existing or apparent conflict of interest

act impartially and avoid even the appearance of impropriety

Statements concerning appropriate ethical considerations and conflict of interest are contained throughout various commission policies and documents. However, for your information and convenience, the pertinent guidelines contained in the Handbooks for Evaluation Team Members, and Chairing and Hosting an Evaluation Team, are summarized below.

The Commission relies on the personal and professional integrity of individuals to refuse any assignment where even the slightest potential for conflict of interest exists. The Commission staff will not knowingly assign participation in an evaluation of an institution, a person:

- whose home institution is in the state in which the institution is located
- who has expressed personal opinions bearing on the accreditability of the institution
- who has been or is a candidate for employment in the institution to be visited
- who has been recently an appointee or employee of the institution, or has close relatives who are appointees, employees, or candidates for employment in the institution
- who is a graduate of the institution

Only in rare cases will exceptions be made, and then only in consultation with the institution to be visited. To avoid even the appearance of possible conflict of interest, no member of a visiting team may serve as a consultant to the institution for a period of one year following the official accrediting action.

The institution is expected to respect the process by not engaging any team member as a consultant for one year following the evaluation. Similarly, the institution should not consider for permanent employment within one year of the evaluation any member of the evaluation team.

In accord with the above guidelines, and to the best of your judgment, **please complete the attached form and return to the Commission office with your invitation to serve**.

Originally published as: "Conflict of Interest Statement," July 25, 1991.
Revised as: "Conflict of Interest Guidelines," June 1997
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POLICY STATEMENT

Evaluation of Institutions Operating Interregionally

The Council of Regional Accrediting Commissions (CRAC) developed and the regional accrediting agencies have adopted the following policy that offers a common framework for the evaluation of institutions and defines the respective roles of the regional higher education accrediting commissions in assuring quality and encouraging the improvement of affiliated institutions operating interregionally. Specifically, the policy addresses differences that may exist among regional commission criteria and their application in off-campus operations. It encompasses only those colleges and universities which maintain a physical presence, have appropriate state authorization, and offer instruction equivalent to 50% or more of a degree program in a (host) region(s) other than the region where they hold accreditation (home region).

These policies are based upon the following fundamental premises:

- The home region should be demonstrably accountable for its accreditation decisions affecting institutions operating in host regions.
- The host region has a legitimate interest in the quality of institutions from other regions operating within its jurisdiction.
- The home and host regions, while honoring these policies and the procedures designed to implement them, have flexibility in defining the host region's role in the evaluation of instructional sites operating in its region.
- The eight regional commissions, building on their commonality of tradition and longstanding mutual respect, will work cooperatively, together with affected institutions, to implement these policies toward the fulfillment of their quality assurance responsibilities in the review of transregional programming while honoring institutional autonomy and integrity.

The Policy

To preserve the values and practices of peer review and regional accreditation, the evaluation of institutions that deliver education at a physical site(s) in another region(s) will be undertaken with the participation of the host regional accrediting commission(s). This will include the joint (home/host) review of off-campus sites in a host region against the accreditation standards of that region.

Procedures for the evaluation of colleges and universities operating interregionally will honor these basic principles:

- The mission of the institution will be respected throughout the evaluation process.
- The design and implementation of the strategy fashioned to evaluate its host region instructional sites will be developed collaboratively by the participating regional commission together with the affected institution.
- The home region's evaluation processes will serve as the basis for the joint evaluations and the home region will take the leadership role in initiating and overseeing the process.
- The home region will be solely responsible for final accrediting actions, but will respond to issues brought to its attention by the host

commission as identified through its involvement in the institutional review.

- Host commission participation in an interregional accrediting process shall not constitute accreditation of the institution by that commission.
- The host region retains the discretion to determine its involvement in the evaluation of institutions operating interregionally.

Exchanging Information

To assure that each commission is adequately apprised of the instructional activities of out-of-region institutions in its region, the following information will be exchanged as specified:

A. Annually, each commission will notify the other affected commissions of any of its institutions operating interregionally. The information provided will include: locations(s), levels of degree offerings, and number of students enrolled. It is understood here as elsewhere, that notice need only be provided regarding those locations where 50% or more of a degree program is offered.

B. Each commission will notify other relevant commissions when one of its institutions intends to establish a new out-of-region instructional site. In such cases, the home commission in consultation with the host region will determine if the new site(s) constitute a substantive change and thus are subject to review under the interregional accrediting processes.

Procedures for the Interregional Accrediting Process

Notice to Host Region of Planned Evaluations

The home region will provide timely notice to the host region(s) of:

A. Scheduled comprehensive evaluations of institutions with instructional sites in the host region;

B. Any focused visits which include the review of sites in the host region or includes issues related to off-campus programming;

C. Any other evaluations of new sites in the host region.

Procedures for Evaluations

A. Standards to be applied. The standards of both the home and host region will be applied at host region sites using a "home standards plus" model. That is, the standards of the home region will be used as the basis for the evaluation, supplemented by any criteria of the host region identified in the design process for the evaluation.

B. Evaluation protocol. Well in advance of the comprehensive visit, the home and host commissions, in consultation with the institution, will develop a protocol for the evaluation of host region sites to include: 1) the scope of the review; 2) which sites are to be reviewed, with the final decision remaining with the home region; 3) the content of the self-study report(s) for the sites to be visited with particular attention to how identified host region standards are to be addressed; and 4) any other matters of agreement relevant to the evaluation, including issues of possible public disclosure.

C. Site team composition. The size and composition of the team visiting host region sites will be jointly determined, with the host region being afforded the opportunity to appoint up to 50% of the team's membership. The host region may appoint a vice or co-chair as agreed upon by the home region. Teams will otherwise be appointed in keeping with home region procedures. It is understood that the host region's conflict of interest policy will apply for the team members it appoints.

D. Costs. The costs for the evaluation of host region sites will be billed in keeping with the home region's policies. The home region will otherwise administer reimbursement of evaluator expense also in keeping with its policies.

Procedures for Evaluation Reports

A. A single evaluation report will be prepared for each of the sites visited within the host region, as agreed upon by the commissions involved.

B. The evaluation report will include a review of the site under the home region's standards, and as appropriate, findings regarding the host region's standards as previously identified and any topics included in the evaluation under prior agreement. Recommendations to the home region can be made by both home and host sub-groups on the team.

C. Site team reports are provided to the host region by the home region upon receipt. In cases of comprehensive evaluations, the home region's institutional evaluation report is also forwarded to the host region.

D. The host region is responsible for establishing processes for the timely review of site-specific evaluation reports prior to their being considered by the home regional commission so as to provide any comments it believes should be taken into consideration as the institution's case is reviewed.

E. The policy of confidentiality for team recommendations of the home region will apply.

Procedures for Decisions and Notification

A. The home region's decision-making processes will ensure that the institution has the opportunity to respond to the team report and any comments from the host region before a final decision is made.

B. The home region takes the final accrediting action and is responsible for providing notification of that action to all relevant parties, including the host region.

C. When the final action differs from the recommendation and comments of the host region, if any, a rationale for the action will be sent upon request by the home to the host region.

D. The home region is responsible for addressing any misrepresentation of the interregional evaluation on the institution's accreditation status.

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May 2000
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POLICY
STATEMENT

Middle States Generalist Accompanying a Specialized Team

When a specialized accrediting agency visits a Middle States institution independently—that is, not as part of a truly joint evaluation team involving Middle States—the Commission may appoint one or more generalists to work with the specialist visitors. A generalist representing the Middle States Commission performs several functions.

The generalist serves the Commission and the institution by providing both with:

1. a view of the institution as seen from the vantage point of one of its units or programs, and
2. a view of the relationships of the specialized unit or program with the institution as a whole.

The generalist serves the visiting specialized agency by assisting its representatives:

1. in understanding the role of the specialized unit in relation to the institution's total program, and
2. in evaluating this relationship.

The Commission representative is expected to be a skilled and experienced general evaluator. As such, the generalist can promote an understanding of institutional complexities, provide or aid in locating essential information, and, without intruding upon the specialists' domain, alert them to institutional circumstances and concerns of which they might otherwise be unaware.

The generalist's work may complement the Commission's own evaluation procedure. Their observations and recommendations, when coupled with those of the specialized agency(ies), may serve as the basis for Commission action on the institution's accreditation.

Before the Visit

1. The institution should send the generalist:

   a) a complete set of catalogs and other informative materials covering its entire program, not just the part in which the specialized agency is interested;

   b) copies of all the materials that have been prepared for the specialist visitors;

2. The institution should reserve accommodations for the Middle States representative.

3. If the specialized team visit is to last more than three days, the generalist may want to be present for only part of the visit. The time should be carefully chosen.

During the Visit

The generalist is neither in charge of the evaluation nor a member of the specialized agency team. He or she is a consultant to it and attends its conferences only upon invitation, representing the Commission.

It is expected that the head of its team will welcome the generalist as a useful colleague and invite him or her to work closely with the group. In some cases, where there are several specialized agencies involved, more than one generalist may be assigned.

After the Visit

The Middle States representative may be asked by the visiting team chair to contribute to the written report of the specialized agency team.

The generalist is obligated to prepare for the institution and the Commission a brief written report on the relation of the specialized school or program to the total institution and on any problems or opportunities perceived. The report should be sent to the office of the Commission for referral to the institution.

The report becomes a part of the institution's permanent file and will become available at the time of the institution's next full review.

Finances

The generalist is entitled to an honorarium and reimbursement for expenses. The Commission will make these payments and will, in turn, bill the institution, including a processing fee.

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February 1991
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POLICY
STATEMENT

Working Relations Between State Agencies and the Middle States Commission on Higher Education

Educational institutions, state agencies, and the Commission on Higher Education of the Middle States Association of Colleges and Schools have unique, yet complementary, roles in promoting and maintaining the quality and integrity of higher education—including an institution's responsibility for self-regulation, state agency authority for licensure and general oversight of educational institutions, and the Commission role in peer-review evaluation on a voluntary basis. These various roles are part of a total process of assisting institutions to achieve their mission and to fulfill their goals at the highest levels of excellence. Successful tripartite relations and productive cooperation can be accomplished through mutual understanding and acceptance of these respective roles.

Voluntary accreditation is essential to the conduct of education in the United States as the means of discharging the education community's responsibilities for self-regulation. Autonomy and freedom in academic institutions depend on the success of voluntary accreditation in keeping them educationally responsible and effective.

The Middle States Association is a voluntary, non-governmental, membership organization. It exists to provide services to its members and to conduct a peer-review system for self-enforcement of standards of excellence intended to assure that accredited institutions warrant the public's confidence as to their quality and integrity.

The Commission on Higher Education, an autonomous unit of the Association, seeks constantly to improve its policies, standards, and procedures as it endeavors to help institutions of higher education achieve their educational goals and objectives. The Commission is receptive to change and innovation, alert to the needs of constituent members, and sensitive to new issues as they emerge. It is aggressive in seeking to remedy any imperfections or weaknesses in its policies, standards, and procedures, while seeking to exercise appropriate leadership and to respond readily to situations affecting the quality and integrity of higher education in the region.

Accreditation vis-a-vis State Responsibilities

The Commission has a long tradition of close and cooperative relations with state agencies in the Middle States region. It is keenly aware of the legitimate concerns and interests of state agencies in the area of higher education, particularly in establishing minimum standards for operating educational institutions. As a fundamental prerequisite for accreditation, the Commission requires institutions to procure an appropriate license or charter from a state agency where required by law. Moreover, the Commission acknowledges the rightful role of the state in such matters as protecting against fraud, violations of health and safety regulations, and the oversight of public funds.

The Commission works with state government agencies with the expectation that cooperation will facilitate improvement in higher education, protect the integrity of each institution, and diminish or eliminate unnecessary or duplicative reporting, planning, or evaluation. At the same time, there are important distinctions between the regulatory, licensing, or budgeting roles of the state and the accrediting function of the Commission. The Commission provides an opportunity for voluntary self-evaluation and improvement and adds an interstate dimension to that process which the state individually cannot provide. In the interest of sustaining and strengthening complementary relations between the Commission and appropriate state agencies, it is essential that effective and continuing communication be maintained between and among these bodies.

In its relationships with state agencies, the Commission acts as a voluntary, nongovernmental, membership educational organization. It does not, and cannot, assume the statutory responsibilities of any state agency, by implied delegation or otherwise.

Relations Between State Agencies and Middle States Evaluation Teams

The Commission's primary obligations are to institutions and to the public interest. Working relations with state education agencies in the Middle States region should be continued and strengthened without compromising the Commission's independence as a non-governmental body.

It is standard operating practice for a state representative to accompany a Middle States evaluation team. In accordance with the necessity for maintaining a distinction between government agencies and the Commission, state representatives are considered to be working with, but not to be members of, Middle States evaluation teams. Representatives of state agencies normally receive copies of self-studies from the institutions to be evaluated, are included in the deliberations of the evaluation teams, and may participate in campus interviews and meetings with trustees. However, they do not share in the final determination of a team's recommendation with respect to accreditation.

The institutional head should be informed about the role of the state representative in an evaluation visit and of any special relationship he or she has to the team or to the institution. By prior arrangement with the institution and the Commission office, a state representative may pursue a separate agenda in conjunction with a Middle States evaluation.

The Commission will invite state representatives to its workshops and orientation programs for evaluators and maintain the practice of notifying the related state agencies of upcoming evaluations of institutions within their states. **Periodically Commission staff will meet with representatives of state agencies, and state higher education officers will be invited to Commission meetings.**

Communication and Information Sharing with State Agencies

The best guarantor of effective relations between state agencies and the Commission is continuous communication and liaison. Institutions may share evaluation team reports and their responses to the reports with state agencies at the earliest feasible date. However, it remains the institution's prerogative, except where explicitly required by law, to determine whether and/or when to share an evaluation team report and related responses with a state agency. The Commission policy is to submit evaluation team reports only to the individual institutions. Once an accreditation action of the Commission is final, however, the Commission notifies the appropriate state agency of any final actions taken by the Commission regarding institutions that are licensed by the state.

In the interest of providing optimum assistance to educational institutions, sharing of information is encouraged between the Commission and respective state agencies, particularly through informal communication between and among staff members. The Commission will exert every effort to protect its confidential relationship with accredited and candidate institutions.

Program Review and Institutional Evaluation

In response to the rising concern for quality in higher education, there is growing advocacy for external program review as a means of exercising greater influence or control over educational institutions. Carried to an extreme, this would require every curriculum and eventually every course within a curriculum to be subject to review and approval. Were the states or accrediting bodies to impose external program review to that extent, the potential for enlarging their role in determining academic policy and programs would pose serious challenges to the academic freedom of institutions and to the rightful roles and responsibilities of faculty, administrators, and trustees. The burden on institutions in terms of the amount of time and staff effort required for such reviews would be greatly increased.

The Commission believes that the primary responsibility for promoting quality in higher education should be placed on the individual institution. When an institution voluntarily undertakes detailed program review and requests assistance, the Commission will cooperate. However, an institution's credibility rests directly on the thoroughness and integrity of the procedures it establishes for assuring that its academic offerings have clearly defined goals and are regularly assessed to determine their quality and effectiveness. Every institutional evaluation and periodic review should include as a major emphasis a careful assessment of such procedures and of evidence that the intended educational outcomes are in fact being achieved.

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December 1983
February 1984
February 1991
Issued 1993
Revised September 1995

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CHE
MSA

Middle States Association of Colleges and Schools
Commission on Higher Education
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POLICY
STATEMENT

Use and Distribution of Evaluation Team Reports

In the Middle States region, the evaluation report of a visiting team is an organized, coherent document which is written for and addressed directly to the institution for its own use, although such reports have an important function in the accreditation process. It is a critique by competent external colleagues which presents clearly their major findings and suggestions. The Commission on Higher Education considers the evaluation team's report to be the property of the institution.

Every Middle States evaluation report is produced by an *ad hoc* team, whose purpose is to validate the institution's self-study and make recommendations to the institution on ways in which it can improve its effectiveness. Team members typically are selected from the faculty and administrative staff of other accredited institutions in the Middle States region. The team is guided by an experienced chairperson and receives an orientation through workshops and certain published Commission documents, which provide careful guidelines and include admonitions about objectivity, without specific formulas or blueprints. Team members rely upon their own knowledge and observation of academic excellence, derived from their direct experience.

Therefore Middle States reports should not be expected uniformly to express the same views, or be in all respects consistent with one another. Even when a report has been approved by the Commission, it still is an expression of the views of a particular group of educators, upon questions which often are too complex to have single answers. A different team might have seen things somewhat differently. The Commission accepts such possibilities as the natural consequence of the developmental and often experimental nature of higher education, of its commitment to diversity rather than conformity, and of its conviction that it would rather trust the judgment and influence of professional colleagues than that of a small employed staff of full-time "experts."

How to Use a Middle States Evaluation Team Report

It follows that an institution should be governed by two principles in using an evaluation report:

(1) the report should be studied openmindedly and seriously by appropriate constituencies, since it is the thoughtful product of sensitive, disinterested professionals;

(2) the institution should reserve the full right and obligation to accept, modify, or reject the team's findings and recommendations as its own judgment dictates, developing clearly its rationale for whatever course it follows.

A Middle States evaluation team report is advisory, more the basis for further thought than the statement of a final conclusion.

Distribution of Evaluation Team Reports

In accordance with the Commission's policy on "Collegiality and Public Communication," the institution is required to make the report readily available or distribute it as widely as possible on campus, since the report is addressed to an institution's entire constituency—administration, trustees, faculty, students and staff.

When distributing the report, however, the institution should indicate that the report does not constitute a summary of the entire evaluation process; it is only the report of the team that visited the institution. Because the Commission's review processes sometimes result in an accrediting action other than the one recommended by the team, misunderstandings may occur if it has not been made clear that the report is only one piece of a much larger whole which includes the institutional self-study, the site visit, the Commission's committee review, and deliberations of the full Commission.

Aside from its internal constituencies, the institution is free to distribute copies of the report to others at its discretion. Should an institution use the report in such manner as to create a misleading impression, such as using selected excerpts, the Commission reserves the right to release the full report and to make appropriate statements to the public. Excerpts, when used, should be verbatim or reasonable paraphrases and must accurately reflect the entire report in its balance of strengths and team concerns.

As part of the accrediting process, confidential copies of the evaluation team report are distributed to the members of the evaluation team (not Commission-assigned evaluation team associates), heads of multi-unit and regional systems, and in joint evaluations with the chief executive officers of the other accrediting agencies involved. The Commission does not share evaluation team reports with government or public or private agencies or individuals unless explicitly permitted in writing to do so by the institution.

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Revised November 1995 to incorporate:

"How to Use a Middle States Evaluation Report"

February 1967
February 1984
February 1991
Issued 1993

and

"Distribution of Evaluation Team Reports"
January 1974
February 1984
February 1991
Issued 1993

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POLICY
STATEMENT

Range of Commission Actions on Accreditation

The accreditation process is a voluntary, self-regulatory, peer review process. As such, it relies upon candidate and member institutions to provide complete, accurate information and self-analysis as a foundation for review activities. The Commission on Higher Education of the Middle States Association of Colleges and Schools and its evaluators use this information, in conjunction with on-site interviews and data gathering, to determine whether an institution meets the standards for accreditation expressed in *Characteristics of Excellence in Higher Education,* the Commission's primary statement of standards.

The *actions* the Commission may take regarding accreditation are noted below. These actions are taken following an on-site evaluation, a periodic review report (PRR), a follow-up or substantive change report, or at any other time that an institution's accreditation is reviewed. Evaluation teams, special visitors, PRR reviewers, and special committees will formulate their recommendations to the Commission accordingly. Current Commission policy is to publish all actions.

Current U.S. Department of Education regulations require a maximum two-year time frame for further Commission review and action **when an institution has been found not to be in compliance with Commission standards**. (If the compliance issues involve only programs of less than two years in length, the maximum time for compliance is 18 months.)

Consistent with these regulations, the Commission has established the following time limits for available actions (other than reaffirmation without conditions):

Action	**Time Limit**
monitoring actions	
reaffirmation w/follow-up report	6-24 months
reaffirmation w/follow-up report & visit	6-24 months
procedural action	
deferment of a decision	1-24 months
non-compliance actions	
warning	1-24 months
probation	1-24 months
procedural action	
show cause	1-24 months
adverse action	
removal of accreditation	(dependent on appeals)

Time limits are based upon the date of Commission action (not the date of the team visit).

The Commission may at its discretion require an institution to report on progress sooner than the maximum time allowed, and may for good cause extend the time for demonstrating compliance.

Commission actions of deferment, warning, or probation, none of which is deemed to constitute an adverse action under these procedures, automatically result in further Commission review of the institution's status prior to the expiration of the maximum time period allowed for such action. Such review will either result in the lifting of the non-adverse action, or the imposition of a subsequent non-adverse action as described above, or the imposition of an adverse action as described below. The Commission is not bound by the sequence nor precluded from taking an action at any level (e.g. the next action following warning may be show cause).

As stated above, the Commission may extend, for good cause, any period for demonstrating compliance. Good cause for extending the duration of a non-adverse action shall exist, for example, when, in its discretion, the Commission determines that the institution is making a good faith effort to remedy existing deficiencies and a reasonable expectation exists that such deficiencies will be remedied within the period of extension if adverse action is postponed. No single period of extension may be greater than the length of the initial action.

An adverse action is an action by the Commission **to remove an institution from the list of accredited institutions**. Show cause is a *procedural* action (requiring an institution to *show cause* why its accreditation should not be removed); show cause may or may not result in the adverse action of removal of accreditation.

The Commission will not knowingly take action on any institution that is the subject of an interim action (potentially leading to suspension, revocation, or termination of accreditation or candidacy) by a state agency or by another accrediting agency or on any institution that has been notified of a threatened loss of accreditation by a state agency or by another accrediting agency.

Commission actions are subject to appeal in accord with due process as allowed for in the Bylaws of the Middle States Association and delineated in the document *Procedures for Appeals from Decisions of an Accrediting Commission of the Association*. An institution's accreditation is *continued* a) while it complies with the Commission's request for information, additional reports, special visits, or other action, and b) during an institution's appeal of a Commission action.

A. For accredited institutions following an on-site evaluation, the Commission may take the following actions:

1) REAFFIRMATION of accreditation without conditions.

Reaffirmation without conditions indicates that there are no current issues requiring monitoring via reports prior to the periodic review report (filed five years after the evaluation visit).

2) REAFFIRMATION of accreditation, with a request for a follow-up report on specific issues to be submitted by a specific date.

Reaffirmation with a request for a follow-up report indicates that there are issues where non-compliance with Commission standards is possible, if continuing institutional attention and progress are not encouraged. Issues are such (in complexity and seriousness) that the Commission sees monitoring prior to the periodic review report as warranted.

3) REAFFIRMATION of accreditation, with a request for a follow-up report, to be followed by a special visit. In such cases, the Commission will specify the nature, purpose, and scope of any further information to be submitted by the institution and of the visit to be made.

In addition to indicating that there are issues where future non-compliance with Commission standards is possible, the special visit requirement signals that the issues are such that a written progress report will not suffice and that an on-site evaluation to validate and supplement information provided by the institution is necessary.

4) DEFERMENT of a decision on accreditation.

Deferment permits an institution to furnish essential clarifying information or evidence of progress regarding possible non-compliance with Commission standards. Submission of the report may be followed by a visit. In such cases, the Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made.

5) WARNING an institution that its accreditation may be in jeopardy, unless the Commission's serious concerns regarding non-compliance with standards are addressed.

Warning indicates that in the Commission's judgment, the institution is not in compliance with Commission standards. This action is usually accompanied by a request for a follow-up progress report, and a special visit may follow.

6) Placing an institution on PROBATION.

Probation may be used in two sets of circumstances.

a) Institutions for which a decision on accreditation has been deferred OR institutions already on warning may be placed on probation when, in the Commission's judgment, the institution has failed to demonstrate that it has addressed satisfactorily the Commission's concerns regarding compliance with Commission standards, as specified in the prior action of **deferment** or **warning**. As such, probation may precede an action of **show cause**.

b) Probation will be utilized when an institution previously under **show cause** has presented substantive evidence of progress in addressing the Commission's concerns and has been directed by the Commission to prepare a self-study or further progress report and host an evaluation visit.

Alternatively, the Commission may act to reaffirm accreditation when show cause is removed; however, institutions for whom show cause has been lifted will necessarily be placed in a status of probation unless the Commission has acted to reaffirm accreditation.

7) **To require an institution to SHOW CAUSE,** within a limited period, as to why its accreditation should not be removed. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the evaluation visit to be made.

A show cause order requires an institution to present its case for continued accreditation by means of a substantive report and/or an on-site evaluation.

8) Subsequent to a show cause procedure, or in a case where an institution no longer meets the Commission's eligibility requirements,
to REMOVE AN INSTITUTION FROM THE LIST OF ACCREDITED INSTITUTIONS
holding membership in the Middle States Association.

B. For candidate institutions

following an on-site evaluation for initial accreditation:

1) **ACCREDITATION without conditions.**

All institutions receiving initial accreditation must be fully evaluated again within a maximum of five years. Accreditation without conditions indicates that there are no current issues requiring monitoring via reports prior to the next evaluation visit.

2) **ACCREDITATION, with a request for a follow-up report** on specific issues to be submitted by a specific date. The Commission will specify the nature, purpose, and scope of information to be submitted.

Accreditation with a request for a follow-up report indicates that there are issues where non-compliance with Commission standards is possible, if continuing institutional attention and progress are not encouraged. Issues are such (in complexity and seriousness) that the Commission sees monitoring prior to the next evaluation visit as warranted. All institutions receiving initial accreditation must be fully evaluated again within a maximum of five years.

3) **ACCREDITATION, with a request for a follow-up report on specific issues, followed by a special visit.** The Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made.

In addition to indicating that there are issues where future non-compliance with Commission standards is possible, the special visit requirement signals that the issues are such that a written progress report will not suffice and that an on-site evaluation to validate and supplement information provided by the institution is necessary. All institutions receiving initial accreditation must be fully evaluated again within a maximum of five years.

4) **DEFERMENT of a decision on accreditation.**

Deferment permits an institution to furnish essential clarifying information or evidence of progress regarding possible non-compliance with Commission standards. The report may be followed by a visit. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made. The institution retains its candidate status during the period of deferment.

5) **DENIAL OF ACCREDITATION.**

An institution denied initial accreditation may be permitted to remain in candidate status until it is ready for a new evaluation within a limited period of time. In cases where the five year limit on candidacy has been reached, the Commission may consider extending the limit on a case by case basis. If an extension is not granted, the institution may not reapply for candidacy for at least two years.

following a candidate status review visit:

1) **CONTINUE candidate status.**

2) **To require a candidate institution to SHOW CAUSE**, within a limited period, as to why its status as a candidate for accreditation should not be removed. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the evaluation visit to be made.

A show cause order requires an institution to present its case for continued candidacy by means of a substantive report and an on-site evaluation.

3) Subsequent to a show cause procedure, or in a case where an institution no longer meets the Commission's eligibility requirements, **to REMOVE AN INSTITUTION FROM CANDIDATE STATUS**.

C. Periodic Review Reports:

1) Acceptance of the report & **REAFFIRMATION of accreditation without conditions.**

2) Acceptance of the report, **REAFFIRMATION of accreditation, with a request for a follow-up report** on specific issues to be submitted by a specific date.

Reaffirmation with a request for a follow-up report indicates that there are issues where non-compliance with Commission standards is possible, if continuing institutional attention and progress are not encouraged. Issues are such (in complexity and seriousness) that the Commission sees monitoring prior to the next evaluation visit as warranted.

3) Acceptance of the report, **REAFFIRMATION of accreditation, with a request for a follow-up report, to be followed by a special visit**. In such cases, the Commission will specify the nature, purpose, and scope of any further information to be submitted by the institution and of the visit to be made.

In addition to indicating that there are issues where future non-compliance with Commission standards is possible, the special visit requirement signals that the issues are such that a written progress report will not suffice and that an on-site evaluation to validate and supplement information provided by the institution is necessary.

4) **DEFERMENT of a decision on accreditation.**

Deferment permits an institution to furnish essential clarifying information or evidence of progress regarding possible non-compliance with Commission standards. Submission of the report may be followed by a visit. In such cases, the Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made.

5) **REJECTION of the report**, with a request that a new report be submitted by a specific date.

6) **TO DIRECT that a full institutional SELF-STUDY be undertaken** immediately after consultation with Commission staff, to be followed by an evaluation team visit.

7) **WARNING an institution that its accreditation may be in jeopardy**, unless the Commission's serious concerns regarding non-compliance with standards are addressed.

Warning indicates that in the Commission's judgment, the institution is not in compliance with Commission standards. This action is usually accompanied by a request for a follow-up progress report, and a special visit may follow.

8) **Placing an institution on PROBATION.**

Institutions for which a decision on accreditation has been deferred OR institutions already on warning may be placed on probation when, in the Commission's judgment, the institution has failed to demonstrate that it has addressed satisfactorily the Commission's concerns regarding compliance with Commission standards, as specified in the prior action of **deferment** or **warning**. As such, probation may precede an action of **show cause**.

9) **To require an institution to SHOW CAUSE,** within a limited period, as to why its accreditation should not be removed. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the evaluation visit to be made.

A show cause order requires an institution to present its case for continued accreditation by means of a substantive report and/or an on-site evaluation.

10) Subsequent to a show cause procedure, or in a case where an institution no longer meets the Commission's eligibility requirements,
to REMOVE AN INSTITUTION FROM THE LIST OF ACCREDITED INSTITUTIONS
holding membership in the Middle States Association.

D. Review for Institutional Change:

Consistent with the Commission's policy on "Institutional Change," these actions are possible:

1) To accept the report submitted by the institution; **to note that the proposed change is not a substantive one and therefore is within the scope of the existing accreditation.**

2) To accept the report submitted by the institution; **to note that the change is within the scope of the existing accreditation, and to direct the institution to commence self-study in preparation for an evaluation team visit** (timing of visit to be designated).

3) To accept the report submitted by the institution; **to note that the change is within the scope of the existing accreditation, and to request follow-up reporting (within a set time frame) via a separate report or the periodic review report** (depending on which is most appropriate in timing).

4) To acknowledge receipt of the report; **to include the change provisionally within the scope of the existing accreditation, pending receipt of additional information** (action letter will state what is needed) **and/or on-site visit.**

5) To acknowledge receipt of the report; **to include the change conditionally within the scope of the existing accreditation, provided conditions specified by the Commission are met within a set time frame and documented by a written report and/or on-site visit.**

6) **To reject the report** as not meeting the Commission's reporting and information requirements.

7) **To deny the institution's request to include the change within the scope of the current accreditation** (reasons and any subsequent steps to be followed will be specified).

Following further review and action, other actions consistent with the Commission's standard follow-up and evaluation procedures (including actions of warning, probation, show cause and removal of accreditation) may be taken when warranted.

E. Follow-up Activities:

If follow-up reports from an institution and/or special visits are required as the result of action taken by the Commission (or in the case of a candidate institution following a status review visit), such institutional reports and/or visitors' reports are reviewed by the Commission. The Commission then takes an action parallel to those listed in A, B, C, and D above, except that if accreditation was reaffirmed at the time the follow-up activity was required, reaffirmation is not repeated.

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Previously issued: 1921, February 1984, January 1990,
February 1991, and 1993
Revised February 1997

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POLICY
STATEMENT

Follow-up Reports and Visits

The Commission may require colleges or universities to conduct follow-up activities and submit follow-up reports as part of its action in response to a visiting team's recommendation on an institution's request for initial accreditation, for reaccreditation, or in response to the institution's periodic review report filed at the midpoint between decennial evaluations. The Commission also may require a follow-up visit to an institution, either after a review of a follow-up report or at the request of staff in light of an institution's changing internal or external environment.

Follow-up Reports

The Commission usually requires an institution to submit a follow-up report when the Commission needs additional information in a specific area not adequately covered by the institution's decennial self-study report or in response to a recommendation made by the visiting team. The Commission also may wish to assist an institution by focusing early attention on a special issue of concern or a need for further information.

The preparation of a follow-up report, like a self-study report, can provide opportunities for constructive discussions on a campus, involving many members of the academic community and bringing many points of view to the consideration of a particular issue. The report also should serve as a useful planning document for the institution.

There is no set format for a follow-up report. It should have a functional title page (see inset Sample Cover Page), including the institution's name and location; the date it was prepared; and a quotation from the Commission's letter requesting the report, excerpted so as to identify the subject of the report.

Follow-up reports should be addressed to the Commission. The scope of the report depends on the nature of the follow-up activities and issues specified in the Commission's letter communicating its accreditation action.

If the institution requires clarification of the issues or of the Commission's concerns, please contact the Commission staff member who serves as liaison to the institution.

Sample Cover Page for a Follow-up Report

Follow-up Report to the
Middle States Commission on Higher Education
from
HILLTOP COLLEGE
Punxsutawney, PA 12345

Prepared by
John Q. Academe

(Date)

Subject of the Follow-up Report:
(Quote from Commission's Letter)

If this report follows an evaluation, indicate
Date of the Evaluation Team's Visit:
Chair of the Evaluation Team:
Or if this report follows the submission of a Periodic Review Report, indicate
Date the PRR Was Submitted:
(Month and Year)

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The text of the report should establish the context for the materials being submitted. Because a year or more usually elapses between the Commission's request for a report and the date the report is filed, the report should review sufficient background to make the significance of current developments clear to people who are not involved in the institution's daily affairs.

The report could be as brief as a memorandum to the Commission. However, it should be as explicit and precise as the nature of the materials permits, and it should enable readers to assess the situation at the institution.

Where appropriate, provide supporting data if they strengthen and clarify the report. Appendices should be limited to those items essential to a reader's understanding of the report. The documentation should be interpreted and presented so that its relevance to the issues being discussed is apparent.

The complete report should be securely stapled together, not bound or placed looseleaf in a folder.

Send four copies of the follow-up materials, each with a copy of the institution's most recent Annual Institutional Profile (AIP) attached, to the Evaluation Services Office at the Commission.

The Commission will act upon follow-up reports at its next scheduled meeting. For action at its February meeting, the report must be submitted by November 1. For action at the June meeting, the report must be submitted by April 1. For action at the November meeting, the report must be submitted by September 1.

After Receipt of the Follow-up Report

The Committee on Follow-Up Activities/Candidate Institutions, which consists of commissioners, reviews each report. In addition, reports on financial information are reviewed and interpreted by a finance associate. After a thorough discussion of the report and any accompanying materials, the Committee forwards its recommendation to the full Commission at its next scheduled meeting. The Commission reviews and discusses the Committee recommendations and takes one of the actions outlined in the "Range of Actions" policy statement.

Follow-up Visits

Follow-up visits are made following a specific action of the Commission or at the request of an institution. The Commission also may require a visit after reviewing a follow-up report or information provided by staff. The areas of coverage in a special follow-up visit usually are limited to specific topics. However, Commission accreditation applies to an entire institution, and therefore every Commission visit implies an evaluation of the specific topic in the context of the institution as a whole.

The visiting team may be limited in number, and it may include a staff observer and a representative of the appropriate state agency.

Preparation for Follow-Up Visits

The chair of the follow-up team visiting an institution will find it useful to review the Commission's *Handbook for Chairing and Hosting an Evaluation Team*. Of special importance are the sections on communicating with other team members about specific assignments and with the institution about the team members' travel plans and meeting schedule. Team members should review the basic principles and procedures in the *Handbook for Evaluation Teams*, as adapted by the chair for the circumstances of the particular follow-up visit.

All evaluators, however, should prepare for a follow-up visit by:

1. reviewing any special reports the institution may have been required to submit;

2. reading carefully the confidential materials provided by the institution or the Commission prior to the visit;

3. communicating to the institution the team members' travel plans and preliminary agenda; and

4. contacting the Commission staff representative if they have questions relating to the visit.

The Visit Schedule

In consultation with the institution's chief executive officer, the chair will arrange a schedule that provides maximum contact with appropriate personnel.

The team's schedule should allow adequate time for the team members to review all the materials provided by the institution and by the Commission office.

The schedule also may include the following, if appropriate to the purpose of the visit:

- a preliminary team conference;
- meeting(s) with key administrators;
- interviews with representative faculty, staff, and students;
- a meeting with the full governing board or, at a minimum, with the board's executive committee;
- meetings with special purpose groups;
- meetings of team members to discuss their findings; and
- an oral report to the institution's representatives.

Conduct of Team Members

Evaluators who review a follow-up report or participate in a follow-up visit should be guided by the following principles:

- ☐ It is the obligation of every team member to hold in total confidence any information learned about the host institution.
- ☐ Team members must not compare the campus situation they are observing with conditions at their home campuses.
- ☐ No member of a visiting team may serve as a consultant to the host institution for a period of one year following the visit.
- ☐ The Commission relies on the personal and professional integrity of individuals to refuse any assignment where even the slightest potential for conflict of interest exists.

Writing the Follow-up Visit Report

The visiting team is responsible for preparing a report to the institution and to the Commission. Although all members contribute to the report, the Chair has the chief responsibility for organizing and writing the report so that it covers the requested areas.

The report on the follow-up visit should summarize: 1) the rationale for the visit, 2) the conduct of the visit, and 3) the course(s) of action recommended to the institution. The length of the report will vary according to the nature and scope of the visit; however, brevity and substance are expected.

Sample Cover Page for a Follow-up Visit Report

Report to the
Faculty, Administration, Trustees, and Students
of

HILLTOP COLLEGE
Punxsutawney, PA 12345

by
A Team Representing the
Middle States Commission on Higher Education

Prepared After a Visit to
the Campus on
(Dates)

The Members of the Team:
(Names of the chair and
all team members,
their titles, and
full addresses)

Working with the Team:
(Name of Commission staff person
and/or
state education department representative)

The Chair must send a draft copy of the report to the institution's chief executive officer, offering the institution the opportunity to correct any inaccuracies or errors of fact. The Chair's cover letter should indicate the date by which the corrected report should be returned to the chair.

The Chair should send the team's final report, incorporating any appropriate corrections that the institution recommended, to the institution and also send four copies to the Evaluation Services Office at the Commission.

Recommendation to the Commission

The Chair should send a separate brief, addressed to the Commission *only*, containing a copy of the team's summary report and a confidential recommendation for Commission guidance. The language of the team's recommendation should incorporate the appropriate

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actual language in the "Range of Commission Actions" policy statement.

If the Commission requested additional information in a specific area, the recommendation(s) of the team should focus on the issues under review.

Institutions should be commended for their follow-up activities, if that is appropriate; and if additional follow-up in the form of reports or visits is appropriate, such actions should be recommended.

If the Commission action deferred consideration of the institution's accredited status and required a follow-up visit, the team will be asked to provide its recommendation on accreditation.

The Institution's Response to Follow-up Visit Reports

The institution is required to submit to the Commission a formal response to the team's report, agreeing or disagreeing with the team's findings and providing the Commission with any additional relevant information that is necessary.

The institution should send four copies of its response to the Evaluation Services Office at the Commission.

Commission Review

The Commission staff forwards all pertinent documents to the Commission's Committee on Follow-up Reports/Candidate Institutions for review, discussion, and formulation of recommendations to the full Commission.

The Commission will act upon follow-up visit reports at its next scheduled meeting. For action at its February meeting, the entire process—including the Chair's confidential brief and the institution's response—must be completed by December 15. For action at the June meeting, the process must be completed by April 15. For action at the November meeting, the process must be completed by September 15. After appropriate review, the Commission takes one of the actions outlined in its "Range of Actions" policy statement.

When the final report has been submitted, the visitors' assignment has been completed. However, each team member will receive a confidential copy of the Commission's action letter to the institution. Any further communication from the institution should be directed to the Commission office.

Reporting Expenses

Following the visit, each team member should report to the Commission immediately all expenses associated with the visit, including travel, incidentals, meals, and housing if it is not provided by the institution. Receipts must accompany expense vouchers. Expenses should be reported on the form that the Commission includes with the materials it sends to each team member, and additional forms are available from the Commission office. Team members are expected to pay for all personal items, such as newspapers, telephone calls, bar bills, dry cleaning and laundry; charges for these items will be deducted from the claim. In addition to expense reimbursement, visitors receive a modest stipend to defray personal expenses.

Previously published as:

"Suggestions for Preparing a Middle States Follow-up Report,"
April 1959; February 1984

and as sections of the former handbook:
Assessment Visits, Candidate Status Review Visits, Follow-up Visits
1983; 1989

Published as a revised single document, April 1998

Rev. January 2001

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POLICY
STATEMENT

Third Party Comment

As an accrediting agency recognized by the U.S. Secretary of Education, the Commission on Higher Education invites third–party comment on institutions undergoing an evaluation for initial accreditation or a decennial review for reaffirmation of accreditation. The Commission specifically invites comments regarding these institutions' ability to meet the standards for accreditation.

Although the Commission actively invites comments during the self-study process, comments submitted at other times during the accreditation cycle will be considered during the next appropriate review, either the Periodic Review Report or scheduled follow-up.

The Commission publishes the names of institutions undertaking self-study through appropriate Commission mechanisms and encourages institutions to publicize self-study activities and invite third party comment to assist them in the self-study process.

The Commission asserts that institutional commitment to quality and improvement is demonstrated through the institution's involvement of administrators, faculty, students, and trustees in the self-study process. While administrators, faculty, students, and trustees are essential participants in the self-study activities, alumnae, alumni, and representatives of the local community can contribute as well. Although the size of the college or university may affect the number of those participating in the self-study, involvement must be representative of the institution's constituencies.

Each institution may define its public constituencies differently. In defining these, an institution may wish to consider its relationship with groups such as students (current, former and prospective), the local community (including neighbors, local government, elementary and secondary schools), employers of graduates, financial supporters (including parents and denominations) state government, sponsoring corporations, contractual partners, etc.

In order to involve the appropriate constituent groups, institutions should inform them regarding the self-study process and in what ways these constituents can be involved. Because the Commission cannot possibly reach all constituencies of member or candidate institutions, it is particularly important that the institution keep the community informed through mechanisms that may include the campus web site; a campus newspaper, newsletter or other on–campus media; or specific outreach such as an information letter, press release or survey. Institutions should choose the media that are appropriate to the constituencies it defines (for example, the alumni newsletter can be used to reach alumni and parents).

Notification and Invitation by the Commission

In addition to the institution's involvement of its constituencies in the self-study and evaluation process, the Commission on Higher Education invites third party comments as well. At least one year prior to the on-site evaluation, the Commission on Higher Education publishes in its newsletter a list of institutions undertaking self-study and scheduled for on-site evaluation in the next academic cycle. The Commission also may invite comments through other means, such as letters or announcements, to specific groups, such as state agencies and other regional or professional accrediting organizations.

The Commission's notice will include at least the name of the institution, the academic year in which on-site evaluation is scheduled, the address of the Commission to which comments and information can be sent, and the date by which comments must be received.

Comments must be directly related to the institution's ability to meet accreditation standards and must be in writing and signed. Anonymous comments will not be considered. All appropriate third party comments are

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provided both to the institution and the team chair for consideration. Because third party comments provide the Commission with information or evidence regarding an institution's ability to meet accreditation standards, the institution is afforded the opportunity to respond to the comments and/or provide evidence to demonstrate whether the institution can or does meet the standards. Therefore, commenters must provide written permission for the comments to be shared with the institution.

Review of Third Party Comments

The Commission office will review all third party comments received and forward to the institution those comments that are relevant to the accreditation standards or eligibility criteria. Comments that may be defamatory, in restraint of trade, or addressed to matters not relevant to the accreditation or candidacy status of the institution will not be shared with the institution or team.

The institution is invited to respond through the self-study report or separately. If comments are received after the institution has submitted its self-study, the Commission will provide the comments to the institution and invite comment if time permits, or will inform the institution that the team will receive a copy and will invite a response from the institution during the on-site visit.

Evaluation Team Review

The third party comments received and the institution's response (if submitted) are provided to the chair of the evaluation team to be considered as part of the information that guides the team during the evaluation review.

All appropriate comments are provided to the team chair with the institution's response, if provided. If time does not allow the institution to respond prior to the visit, the team chair will be informed that the institution has received the comments but that the matter may be discussed during the visit.

The team chair should consider the comments to be supplemental information, but it is not the responsibility of the team chair or the team as a whole to resolve the concerns outlined in the comments. Neither this policy nor the Commission's policy "Review of Complaints Involving Affiliated Institutions" are intended to resolve individual issues with an institution. The Commission's concern is regarding the ability of the institution to meet accreditation standards.

The team chair may designate one or more team members to review the comments in the context of the visit and self-study materials to determine whether the comments raise concern as to whether the institution fails to meet accreditation standards or has failed to follow its own policies or procedures.

If the team identifies any areas of concern, it is the responsibility of the visiting team to recommend to the Commission an appropriate course of action. However, the team should not suggest an action based solely on the comments. Any areas of concern must be verified through the visit process or in the self-study document.

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May 2000
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POLICY STATEMENT

Assessing Prior Learning for Credit

A Position Paper of the Commission on Higher Education Middle States Association of Colleges and Schools

Recognition of college-level learning, no matter how or where attained, adds another dimension to an institution's offerings by acknowledging the learning achievement of returning adults, by facilitating the progress of students already enrolled, and by conserving educational resources. Many colleges and universities have developed programs to assess prior learning and award academic credit; these programs utilize a wide range of evaluative mechanisms, from standardized examinations, portfolio assessment, recommendations from the American Council on Education, local challenge exams, to the expert assessment of individualized claims of college-level learning. Expert assessment of prior learning is relatively recent and presents new challenges and opportunities.

As guidelines for institutions which conduct programs of assessing and crediting prior learning, the Commission on Higher Education expects that a program for the assessment of prior learning should:

1. Make clear basic principles and values held by the institution regarding credit for prior learning.

2. Provide explicit guidelines as to what is considered college-level learning.

3. Make clear that credit can be awarded only for demonstrated college-level learning, not for experience per se.

4. Specify, as clearly and unambiguously as possible, the standards of acceptable performance in each academic area.

5. Specify what form the claim for credit should take, e.g., course equivalent, competency list.

6. Insure that evaluation of learning is undertaken by appropriately qualified persons.

7. Indicate the appropriate form such as semester hours, course units, etc. the evaluator's credit recommendation should take.

8. Specify which degree requirements may be met by prior learning.

9. Specify how credit for prior learning will be recorded.

10. Define and articulate roles and responsibilities of all persons connected with the assessment process.

11. Develop procedures to monitor and assure fair and consistent treatment of students.

12. Develop clearly stated assessment policies and descriptive information for students, faculty, administrators and external sources.

13. Include provisions for periodic re-evaluation of policies and procedures for assessing learning and awarding credit.

14. Advise students that the institution cannot guarantee the transferability of prior learning credits to another institution.

15. Develop evaluation procedures of overall prior learning assessment program to ensure quality.

Institutions may utilize the resources and experiences of other institutions already engaged in assessing prior learning, of organizations like the American Council on Education (ACE) and the Council for Adult and Experiential Learning (CAEL), or the various standardized testing programs.

Institutions which choose to award graduate level credit for prior learning should consider these guidelines and be able to demonstrate that awarding such credit does not jeopardize the quality and integrity of the graduate program.

The awarding of credit for prior learning presents unique opportunities for students and for institutions. The Commission urges institutions to apply the same standards of quality and excellence to assessment of prior learning programs as applied to other programs.

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POLICY
STATEMENT

Transfer & Articulation

Consistent with *Characteristics of Excellence*, each institution determines its own policies and procedures for accepting transfer students; these policies and procedures should be designed to provide reasonable assurance that the quality of the work credited is consistent with the quality of work required of students in comparable programs at the receiving institution. At the same time, the Commission wishes to facilitate transfer of credit—consistent with institutional mission—within this context of appropriate quality assurance. The Commission encourages the development of articulation agreements between institutions for which a significant pattern of student transfer exists.

Since admission standards are the responsibility and prerogative of each institution, the Commission would consider it inappropriate to attempt to dictate norms for the admission of students. The Commission does, however, expect an institution to have clearly defined and published admissions and transfer policies, consistently administered in keeping with the institution's own objectives. Students who apply for admission, using academic records of work done at accredited or unaccredited institutions, will represent various levels of ability and degrees of achievement. The task for the admitting institution in every case is to assess the readiness of the individual student to profit from the educational opportunities it offers.

Like other regional accrediting commissions, Middle States evaluates and accredits institutions, not individual programs and certainly not individual students. Accreditation affords reason for confidence in the clarity of an institution's purposes, in the appropriateness of its resources and plans for carrying out those purposes, and in its effectiveness in accomplishing its goals. However, it cannot mean that every student in the institution so accredited is qualified for admission into another institution or program.

A college should not automatically exclude transfer applicants, even those from unaccredited institutions, although different strategies may be required to deal with them. Careful account should be taken of the level of the work the student was doing, and of the level of the institution itself. A receiving institution may test the applicant by appropriate means in order to evaluate his or her academic preparedness for its own program. Ultimately, each institution must make its own determination about transfer students in accord with its overall educational mission.

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Approved by the Membership, 12/1/94
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Transfer and Articulation

Background Paper

The Commission on Higher Education frequently receives inquiries about the acceptance of transfer students within or from MSA/CHE accredited institutions, institutions holding other accreditations, or institutions that are unaccredited. In order to assist its member institutions as well as provide appropriate clarification to inquiring publics, the Commission has adopted this policy statement and position paper on transfer and articulation.

The Commission's Task Force on Transfer and Articulation was established in the fall of 1992 and held its initial meeting in March 1993. During that meeting and subsequent sessions, the Task Force identified and discussed several key concerns relative to transfer/articulation.

This paper outlines the rationale and purpose for the policy statement, defines transfer, identifies some general principles that apply to the policy, and illustrates the relationship between the policy and *Characteristics of Excellence*. In addition, it addresses three broad categories of concerns relative to transfer and articulation: academic, procedural, and related issues. These topics and issues are meant to be suggestive, not exhaustive, and the extent to which they apply will vary from institution to institution.

Rationale and Purpose

The Commission on Higher Education endorses, as a broad context for its own policy statement, the "Joint Statement on Transfer and Award of Academic Credit" (updated and reaffirmed, April 1990, by COPA, ACE, AACC, and AACRAO). The following paragraph from the "Joint Statement" provides an appropriate rationale for addressing the issue of transfer:

Transfer of credit is a concept that now involves transfer between dissimilar institutions and curricula and recognition of extrainstitutional learning, as well as transfer between institutions and curricula of similar characteristics. As their personal circumstances and educational objectives change, students seek to have their learning, wherever and however attained, recognized by institutions where they enroll for further study. It is important for reasons of social equity and educational effectiveness, as well as the wise use of resources, for all institutions to develop reasonable and definitive policies and procedures for acceptance of transfer credit. Such policies and procedures should provide maximum consideration for the individual student who has changed institutions or objectives. It is the receiving institution's responsibility to provide reasonable and definitive policies and procedures for determining a student's knowledge in required subject areas. All institutions have a responsibility to furnish transcripts and other documents necessary for a receiving institution to judge the quality and quantity of the work. Institutions also have a responsibility to advise the students that the work reflected on the transcript may or may not be acceptable by a receiving institution ("Joint Statement," p. 1).

This policy statement and background paper is intended for use by two primary audiences: 1) member institutions engaging in self-study, whose mission, goals, and self-evaluation identify transfer as a topic of importance; and 2) evaluators charged with assessing the effectiveness of transfer activities and developing recommendations for improving institutional success. Students and members of the general public also may find the document helpful.

A Definition of Transfer

The term "transfer" as used here refers to a variety of patterns of student learning and movement. Transfer questions may focus on individual courses, program segments, or entire degrees. Among the most likely patterns are these:

1. transfer of community college students to four-year institutions, within or apart from a university system (with or without completion of an Associate's degree)
2. transfer of students from one four-year institution to another four-year institution

3. transfer of students from a four-year institution to a community college (with or without completion of a bachelor's degree)

4. transfer of students who have credits earned at foreign institutions, as distinct from credits earned in U.S.-sponsored programs abroad

5. transfer of students who have credits earned in non-traditional formats

6. transfer of students who have credits earned at institutions not regionally accredited

Beyond these particular examples of student transfer, institutions also may need to be aware of certain emerging patterns, including advanced placement credits and tech-prep credits. While these are outside the general purview of the Task Force, it is the Commission's view that institutions should attend to these issues with the same integrity and flexibility that characterize transfer and articulation policies and procedures.

General Principles

Although the extent to which transfer and articulation issues pertain to member institutions will vary, the following statements may be identified as general principles that characterize effective transfer practices:

1. Transfer decisions are student-centered, striving for appropriate balance among fairness, flexibility, and academic program integrity.

2. Institutional mission and goals guide the formulation of transfer policies and procedures.

3. Faculty participate in the creation, review, and implementation of transfer policies/procedures.

4. Communications—written and oral, formal and informal—are clear and effective.

5. Outcomes assessment measures are directed toward evaluating institutional effectiveness and strengthening the public policy and educational environment for transfer students.

Relationship to *Characteristics of Excellence*

The policy statement, "Transfer and Articulation," is consistent with and derived from *Characteristics of Excellence*, the Commission's primary statement of standards. Key statements from *Characteristics* are cited here as the context for the policy statement:

Students who seek to transfer to baccalaureate programs or to advance to graduate and professional schools should be given counseling and advice early in their careers ("Students," *Characteristics of Excellence*).

It is important for all institutions to develop reasonable and clear policies and procedures for acceptance or non-acceptance of transfer credit. Transfer of credit is a concept that may involve transfer between similar or dissimilar institutions and curricula. It may also involve recognition of extra--institutional learning, as well as transfer between institutions and curricula of similar characteristics. As their personal circumstances and educational objectives change, students seek to have their learning recognized by institutions where they apply for admission. An institution's policies and procedures should provide appropriate consideration, consistent with good educational practice, for the individual student who has changed institutions or objectives. To facilitate the smooth transition of students from one institution to another and the transfer of their credits, colleges should make clear the process and manner by which such transfer credits will be accepted. Colleges should work towards establishing articulation agreements where appropriate with other institutions ("Educational Program and Curricula," *Characteristics of Excellence*).

Academic Issues

The role of faculty is a critical one, given faculty responsibility for designing the curriculum and assuring its integrity. Faculty should play a primary role in the institution's setting of standards for academic programs, including the establishment of criteria for accepting transfer students, the evaluation of courses from a content perspective, and the setting of criteria for awarding credit for work completed at other institutions. In addition, the faculty role in advising students—whether the student is incoming or outgoing—cannot be overstated. Faculty must strive for fair treatment of students, while maintaining appropriate institutional and program integrity.

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Good outcomes data on the success of transfer students is essential for determining the effectiveness of institutional standards and policies, as well as addressing any misinformation or unfounded beliefs regarding the quality and comparability of transfer credits. Multiple measures should be directed toward assessing the overall transfer student experience at the receiving institution.

In their deliberations and involvement with transfer issues, faculty and administrators should remain student-oriented, acknowledging that it is the student who goes through and is affected by the transfer process. Further, and as an extension of this basic aspect of transfer policies and procedures, information provided to transfer students should reflect a student perspective.

Although administrators (and boards) may make the determination to develop articulation agreements, it is essential that faculty be the principals involved in the creation of policies and the specific content of institutional articulation agreements. Furthermore, such documents and processes are more likely to succeed where there is a history of dialogue or communication between academic departments or institutions. (Communication among faculties at two-year and four-year institutions in the same geographical area may be the easiest to facilitate.) In short, broader and ongoing dialogue/articulation between faculties is a key factor in the development of any written agreements.

Given the fact that institutions often have very specific general education or core course requirements within their programs, transfer of these courses may be particularly problematic. Issues of proficiency and comparability for an institutionally-defined core curriculum require specific articulation and clear definition. In fact, students themselves often have an expectation that general education courses will easily transfer, and general education actually can provide a bridge for entry and success at the receiving institution.

Therefore, it is imperative that receiving institutions have explicit statements as to the procedures and criteria for awarding transfer credit for general education courses completed elsewhere. The clear communication of agreed upon "ground rules" may be the best channel for addressing potential barriers to transfer of core, non-career specific courses.

For example, does the receiving institution have required core courses which all students must complete at that institution in order to graduate? Does the institution accept previous course work as demonstration of proficiency (writing, computation, etc.)? Are there opportunities for students to demonstrate competencies when course comparability is in question?

Procedural Issues

The overall issue here is the extent to which institutional policies, services, and practices recognize and respond to the different types and needs of transfer students. Are appropriate student services directed to transfer students? Are particular counseling or support services provided when needed? Non-academic, student life factors are part of the transfer experience, and elements outside the classroom can have a marked effect on student retention and success.

Established procedures should acknowledge student rights and responsibilities, since this may help delineate the expectations of both students and institutions. Clear presentation of program and graduation requirements is essential. In addition, information regarding financial aid eligibility and standards for satisfactory progress is becoming increasingly important for transfer students, as well as administrators and faculty involved in the transfer process.

The critical role of communications includes both formal and informal mechanisms. Open and honest publications should provide clear, candid statements regarding transfer. To the extent possible, the catalog and other publications should communicate with a certain level of specificity. For example, does the institution or program differentiate between students with a completed Associate's degree, as compared to those who may wish to transfer with fewer completed credits? What distinctions are made between credits which transfer as *program* credits and those which transfer as *institutional* credits?

Knowledge and awareness of specific articulation agreements is essential for those who do student advising; students themselves need to be aware of such agreements early enough to plan their programs of study accordingly. Those who advise students, as well as students themselves, need to understand clearly the terms and conditions of transfer policies. Institutions may find computer and emerging information technologies helpful in their efforts to access and communicate transfer policies, practices, and services.

Procedural concerns also include the periodic need to evaluate, modify, or expand existing articulation agreements and transfer policies; again, faculty should play a major role in these ongoing activities.

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As courses or degree requirements change, the impact of these on existing patterns of student transfer must be considered. Given the increasing numbers of students who "stop out" for varying periods of time, appropriate flexibility in the review of student coursework to be transferred is warranted.

Related Issues

The particular ways in which institutions view and address transfer student issues vary significantly; perhaps the broadest general distinction is between public and private institutions. State or system-wide transfer initiatives, as well as any relevant local or state mandates, are more likely to influence practices in the public sector. Private institutions may have more individualistic reasons as to why they do or do not accept some or all of the credits presented by transfer students.

As appropriate, an institution's public statements—as embodied in its mission, goals, and plans—should broadly express how the institution views transfer. Specific policies and procedures should flow from these public expressions.

Given the increasing amount of post-secondary education that occurs in settings other than colleges and universities, more and more institutions are being called upon to assess the transferability of coursework from institutions that are either unaccredited or hold non-regional accreditation. Consistent with the Commission's policy statement on transfer, the quality, level, and comparability of student knowledge should be the paramount consideration.

Non-traditional formats for education also present special challenges to the institution. What is the institution's policy regarding acceptance of credits granted elsewhere for experiential learning? Credit for co-op credits? Credits earned at institutions abroad? Credits earned through examination? Equated credits? As with other aspects of the transfer question, the key is clear information and early disclosure to inquiring students.

As some community college programs (and some at four-year institutions) become more career-oriented and some four-year institutions extend general education requirements over the full four year period, the challenges to both sending and receiving institutions are likely to increase.

Conclusion

The implementation of effective transfer and articulation policies involves a matrix of key individuals and processes. Institutions need to articulate clearly their policies and procedures and maintain an appropriate student-centeredness. While the role of faculty and administration is crucial, student responsibility in seeking out and understanding institutional guidelines is equally important. Only when these various elements work together will transfer and articulation be enhanced within an institution's educational mission.

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POLICY
STATEMENT

Contractual Relationships with Non-MSA Accredited Organizations

As institutions seek to improve the ways in which they provide education to their students, institutions may find that it is more practical or efficient to contract with other institutions or organizations to provide certain aspects of the educational experience. Many organizations now exist to support institutions through contracts to provide faculty, conduct recruitment of students, and develop courses (including those that utilize distance technology).

Any institution accredited by the Commission on Higher Education is held responsible for all activities carried out under the institution's name. The Commission's accreditation standards, policies, and procedures apply to any contractual arrangements as well as the institution's regular activities, especially the Commission's policies regarding outcomes assessment, advertising, and recruitment.

This document provides principles of good practice for contractual relationships. In addition, it provides the Commission's expectations and guidance for the development and execution of contractual relationships between accredited member institutions and other regionally accredited institutions, and with non-regionally accredited organizations

Principles of Good Practice

The following principles are provided to guide institutions entering into agreements with other institutions or organizations. The principles must be adhered to when such arrangements are made with institutions or organizations which are not regionally accredited. Regional accreditation presupposes that the institution already adheres to these principles.

- The primary purpose of offering such a course or program is educational.
- Any course or program involved in any contractual arrangement must be consistent with the institution's educational purpose and objectives as they were at the time of the last evaluation. The Commission must be notified in accordance with the policy "Institutional Change" if the institution alters its mission, goals and objectives.
- The institution is responsible for any activities conducted in its name.
- Courses to be offered and the value and level of their credit must be determined by the accredited institution in accordance with established institutional procedures, and under the usual mechanisms of review. Evidence that established institutional procedures have been followed must be available.
- The accredited institution is responsible for informing the non-MSA accredited party that the contract does not imply or extend any accredited status to that entity.
- In developing any contractual relationship, the accredited institution follows the Commission's policies that require prior approval of specific institutional changes.
- The accredited institution is responsible for the accuracy of all advertising and promotional materials.
- Although the sponsoring institution's faculty might or might not teach the course, courses offered for credit must remain under the direct control of the faculty or appropriate representatives of the accredited institution. Faculty or appropriate representatives of the accredited institution retain overall responsibility for ongoing curriculum planning at the institution, including oversight and

general guidance to the process and assurance that the course work is consistent with the overall program design and curriculum intent.

- The sponsoring institution is ultimately responsible for the performance of the following functions as reflected in the contract, with provisions to assure that conduct of courses meets the standards of its regular programs as disclosed fully in the institution's publications:
    - admissions criteria
    - appointment of faculty
    - content of courses/programs
    - instructional support resources (library/information resources, etc.)
    - evaluation of student work
    - outcomes assessment

  At a minimum, the performance responsibility of the credit granting institution would consist of adequate provisions for review and approval of work performed in each functional area by the contractor.

Contracts between Regionally Accredited Institutions Concerning Educational Courses/Programs

A contract should be executed only by duly designated officers of the institution and their counterparts within the contracting institution.

The contract clearly establishes:

- the nature of the services to be performed by each party;
- the period of the agreement, and the conditions under which any possible renewal, renegotiation, or termination of the contract could take place;
- appropriate protection for enrolled students in the event that a contract is terminated or renegotiated;
- the procedures for grievances regarding any aspect of the offerings;
- appropriate avenue(s) for addressing perceived breaches of the contract.

The contract explicitly defines:

- educational courses, program(s), and services included in the contract;
- the institution(s) awarding the credit;
- how outcomes assessment will be conducted and how the faculties of the accredited entities will periodically review the courses and programs;
- how student support services, necessary to the courses/program(s), will be delivered; and
- how student access to the learning resources requisite for the courses/program(s) will be assured.

The contract explicitly states financial arrangements:

- that specify the compensation and other considerations for the services provided by each of the parties;
- that set forth a mechanism to account for the services provided by each of the parties; and
- that meet all legal requirements for federal and state student aid programs that might be used by students or the contracting accredited entities.

The contract is:

- submitted to federal and state agencies when required by regulations;
- submitted to the Commission for approval when required by federal or state regulations;
- submitted, when appropriate, to the Commission as part of a request for approval of institutional change; and
- available on request by the Commission and evaluators acting on its behalf.

Contractual Arrangements with Non-regionally Accredited Organizations

In addition to these principles, the Commission expects institutions to utilize the following guidelines when establishing contractual arrangements with organizations that are not regionally accredited.

- The accredited institution's appropriate representatives have the responsibility to review and approve the content of the courses/programs, and those representatives have credentials that are appropriate to the level and content of the course or program.
- The accredited institution follows all of the procedures established by its governance structure and by the Commission for approval of the courses/programs.
- The accredited institution has not only the contractual obligation, but also systematic processes, to ensure its capacity to carry out its responsibility for oversight of:
    - advertising and recruitment
    - admissions
    - appointment of faculty
    - content and rigor of courses/program(s)
    - evaluation of student work, and
    - award of credit/certificates/degrees
    - outcomes assessment
    - academic advising
    - support services

Contractual Arrangements with International Entities

The contract follows the good practices outlined above. The contract is in English and the primary language of the international contracting entity.

The contract specifically provides that the U.S. institution exercises appropriate oversight for the international program in conformity with the Commission's "Principles of Good Practice in Overseas International Education Programs for Non-U.S. Nationals" and the Commission's accreditation standards.

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Revised and Approved by Membership, March 1999
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POLICY
STATEMENT

Collegiate Athletics

The primary concern of an educational institution is its educational effectiveness. An evaluation of that effectiveness therefore rests upon the contribution of each of its programs toward achieving the educational objectives of the institution as a whole.

Consequently, the evaluation of collegiate athletics begins with the definition of the program's objectives. They need to be published, clearly understood, and faithfully observed as a guide for action. Obviously they must be consonant with the aims of the institution itself and with the fundamental purposes of higher education. Their emphasis should be upon the welfare of the participants and as many of the other students as possible.

The statement of objectives should reflect a consensus view of faculty, administration, and trustees, and therefore should be prepared and approved cooperatively by all parties. The objectives need to be reviewed from time to time to ensure that they represent the current position of the institution and sound educational policy, and that everyone concerned understands and is governed by them.

Sports and athletics of all kinds—intercollegiate, intramural, and recreational—are and will continue to be as rooted in our educational institutions as they are in American society. Thus, they deserve attention by the accrediting process as essential elements related to the quality and integrity of higher education. The issue is not whether there should be athletics programs but, rather, that they be conducted in a manner consistent with an institution's published objectives and educational mission.

The professional qualities and attitudes of coaches and directors are of primary significance in establishing and maintaining the level and educational validity of athletics programs.

These guidelines are intended to assist institutions, athletic associations, and other agencies as they oversee or review collegiate athletics programs and to provide criteria for the evaluation of athletics programs as an integral part of the accrediting process. The Commission on Higher Education is commited to cooperation with other organizations such as state agencies and other accreditors, for the benefit of our institutions. The Commission will cooperate with external evaluations by the National Collegiate Athletic Association (NCAA) or other athletic organization at their request.

Programs

An educational institution must determine for itself the scope and objectives of its athletics programs. Whatever shape the programs take, they should be fully institutionalized and integrated into the larger educational environment of the campus. Institutional policies should be concerned with the interests and participation of both women and men in team or individual sports, in intramural as well as varsity competition, and should assure access to appropriate equipment and facilities.

The type and level of intercollegiate competition should be proportionate to the size and resources of the institution. Intercollegiate programs should be demonstrably constructive, never exploitative for special interests of the institution, the alumni, or the public. Those who participate in collegiate athletics must be properly registered students in the institution they represent, subject to clearly stated policies and procedures with respect to matters such as:

- admissions standards;
- administration of financial aid;
- opportunities for scholarship funds for men and women;
- credit-granting procedures;

- progress toward and achievement of academic degrees;
- transfer procedures.

Intercollegiate programs should not be favored to the detriment of appropriate intramural and recreational athletics programs on a campus.

Organization

While organizational details such as the status of coaches and athletic directors will vary with local conditions, the ultimate responsibility for all programs rests with the chief executive officer of the institution and the governing board. In the institutional governance structure, the committee overseeing athletic programs should involve representatives of appropriate constituencies, including faculty, students, and administrators.

Finance

All expenditures for and income from athletics, from whatever source, and the administration of scholarships, grants in aid, loans, and student employment, should be fully controlled by the institution and be included in its regular budgeting, accounting, and auditing procedures.

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POLICY
STATEMENT

Consultants for Employment by Institutions

The Commission on Higher Education, upon request, may suggest names of qualified persons to serve as consultants. Consultants engaged independently by institutions do not necessarily work within Middle States guidelines. The service of the Commission is limited to suggesting the names of appropriate people, and the institution conducts its own negotiations.

The consultant's relationship to the employing institution is that of a private individual. Consultants recommended by the Commission are experienced persons, favorably known over a period of time for competent leadership in their own institutions and in the work of the Commission on Higher Education. The Commission has confidence in their knowledge and judgment, but they do not speak for the Commission.

Consultants recommended by the Commission and the institutions appointing them may find these guidelines useful in structuring their relationship:

- Definition of the problem, in writing, by the institution
- Preliminary study by the consultant of materials prepared by the institution
- A visit to the institution by the consultant to study the problem firsthand
- Additional visits, conferences, or investigations, as the terms of the consultant's employment may require
- A written report to the institution from the consultant
- A meeting for oral discussion of the report, if desired by the institution

The institution should propose a work plan and financial terms when it approaches a prospective consultant. Payment of a consultant is arranged between the institution and the individual, and it should include expenses for travel and lodging as well as an honorarium.

Conflicts of Interest

Consultants, although they do not represent the Commission on Higher Education, should be guided by the Commission's conflict of interest principles, as stated in the *Handbook for Evaluation Teams*, *Handbook for Chairing and Hosting an Evaluation Team*, and the Commission's "Conflict of Interest Statement." For example, persons who have served on an evaluation team to an institution may not act as a consultant or be considered for permanent employment in that institution for a period of one year following the official accrediting action. Additionally, the Commission staff will not knowingly recommend as a consultant a person:

- who has expressed personal opinions bearing on the accreditability of the institution;
- who has been or is a candidate for employment in the institution to be visited;
- who has been recently an appointee or employee of the institution, or who has close relatives who are appointees, employees, or candidates for employment in the institution; or
- who is a graduate of the institution.

Ordinarily, the CHE will not recommend consultants whose home institution is in the state in which the institution to be visited is located, unless the receiving institution has made a specific request for such individuals.

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POLICY
STATEMENT

Statement Concerning the Application of Equity and Diversity Principles in the Accreditation Process

[To assist its member institutions and to enhance the evaluation process further, the Commission has developed the following statement on "The Application of Equity and Diversity Principles in the Accreditation Process," based on the principles articulated in *Characteristics of Excellence in Higher Education: Standards for Accreditation*.]

In gauging the effectiveness of attempts to ensure equity and diversity as essential in the overall determination of institutional quality, the constituency of the Commission on Higher Education affirms that justice, fairness, and the equitable and humane treatment of all students, faculty, and staff are central to institutional integrity and educational excellence. The Commission's evaluation procedures emphasize the paramount importance of assessing these principles in relation to the unique mission, goals, objectives, legal responsibilities, and values of particular member and candidate institutions.

The Commission respects and honors the diversity of the institutions it accredits and recognizes institutional limitations created by law, government, or religious tenets. It does not find the diversity of its member institutions incompatible with the principles of equity and diversity within those institutions. Following the principles and practices of its member institutions, the Commission deems issues of equity and diversity central to institutional integrity because of the growing diversity in our region, the nation, and the world.

Most MSA institutions have sought ways to implement programs to promote equity and diversity principles on their campuses and thereby improve campus climates for teaching and learning in consonance with their own missions and goals. Exemplary efforts towards improvement in these areas can already be found throughout the Middle States region where many institutions have chosen to develop programs and services for historically underrepresented populations.

In supporting its member institutions in these efforts, the Commission neither has nor promotes numerical quotas or goals. It encourages all institutions to develop policies, programs, and practices which take into account the diversity of the increasingly interdependent national environment in which we live. Historically, the Commission's stance has been to encourage innovation and experimentation; but, aside from advocating high expectations, flexibility and freedom for all academic pursuits, including multi-cultural sensitivity and civility, it does not endorse any particular curricular formation.

Framework for Assessing Equity and Diversity Goals in Accreditation

Characteristics of Excellence in Higher Education does not address the manner in which the principles of equity and diversity should be evaluated in institutional self-study, assessment, and accreditation processes. Although there are other Commission documents which provide guidance in this area and contain general advice to institutions about strategies for self-evaluation, these documents are primarily intended to provide support to institutions for their own inquiries into institutional effectiveness. As is its custom, the Commission expects individual institutions to select and determine the methods most suited to gauging their own progress in all areas.

The Commission has developed "Equity and Diversity in Learning Environments: A Guide for Institutions and Evaluation Team Chairs and Members" for those institutions which include equity and diversity issues within their institutional self-study processes and which seek to evaluate equity and diversity on their campuses.

Based on Commission experience and statements already available in all documents, the following guidelines, with institutional integrity as the key principle, help to establish a simple but essential framework for the application of equity and diversity principles:

> Self-study reports assess institutional efforts toward improved campus climates for equity and diversity in terms of the institution's own mission, goals and commitment to teaching and learning.
>
> Evaluation teams evaluate progress being made by institutions within the context of the institutions' own mission, goals, sponsorship, resources and commitments and by bringing to bear the principles enunciated in *Characteristics*.
>
> Evaluation teams are judicious when assessing complex educational issues, including those of equity and diversity.
>
> The Commission and its standing committees assess the effectiveness of institutions in achieving all of their goals—including equity and diversity—by seeking demonstrations of congruence between their mission statements, planning documents, self-studies, and the findings of evaluation teams.
>
> The Commission, with institutional improvement as its primary goal, continues to recognize good faith efforts on the part of member institutions in all areas, including equity and diversity.

This framework is not intended to limit an institution's right or ability to go beyond these minimal guidelines. Neither do they imply that an assurance can be given by the Commission on Higher Education nor the Middle States Association that every accredited institution necessarily meets all the characteristics of excellence in equal proportion.

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POLICY STATEMENT

Principles of Good Practice in Institutional Advertising, Student Recruitment, and Representation of Accredited Status

All accredited postsecondary institutions, or individuals acting on their behalf, must exhibit integrity and responsibility in advertising, student recruitment, and representation of accredited status. Responsible self-regulation requires rigorous attention to the following principles of good practice, which are explicitly stated in or inferred from characteristics of excellence, the commission's primary statement of standards:

Advertising, Publications, Promotional Literature

1. Educational programs and services offered should be the primary emphasis of all advertisements, publications, promotional literature, and recruitment activities.

2. All statements and representations should be clear, factually accurate, and current. Supporting information should be kept on file and readily available for review.

3. Catalogs and other official publications should be readily available and accurately depict:

   a. institutional purposes and objectives;

   b. entrance requirements and procedures;

   c. basic information on programs and courses, with required sequences and frequency of course offerings explicitly stated;

   d. degree and program completion requirements, including length of time normally required to obtain a degree or certificate of completion;

   e. faculty (full-time and part-time listed separately) with degrees held and the conferring institution;

   f. institutional facilities readily available for educational use;

   g. rules and regulations for conduct;

   h. grading system and related policies;

   i. tuition, fees, and other program costs;

   j. opportunities and requirements for financial aid;

   k. policies and procedures for refunding fees and charges to students who withdraw from enrollment.

4. In college catalogs and/or official publications describing career opportunities, clear and accurate information should be provided on:

   a. national and/or state legal requirements for eligibility for licensure or entry into an occupation or profession for which education and training are offered;

   b. any unique requirements for career paths, or for employment and advancement opportunities in the profession or occupation described.

Student Recruitment for Admissions

1. Student recruitment should be conducted by well-qualified admissions officers and trained volunteers whose credentials, purposes, and position or affiliation with the institution are clearly specified.

2. Independent contractors or agents used by the institution for recruiting purposes shall be governed

by the same principles as institutional admissions officers and volunteers.

3. The following practices in student recruitment are to be scrupulously avoided:

a. assuring employment unless employment arrangements have been made and can be verified;

b. misrepresenting job placement and employment opportunities for graduates;

c. misrepresenting program costs;

d. misrepresenting abilities required to complete intended program;

e. offering to agencies or individual persons money or inducements other than educational services of the institution in exchange for student enrollment. (Except for awards of privately endowed restricted funds, grants or scholarships are to be offered in accordance with applicable law.)

Representation of Accredited Status

1. The term "accreditation" is to be used only when accredited status is conferred by an accrediting agency recognized by the U.S. Secretary of Education and/or the Commission on Recognition of Postsecondary Accreditation.

2. No statement should be made about *possible* future accreditation status or qualification not yet conferred by the accrediting body.

Statements like the following shown in italics are not permissible:

"(Name of institution) has applied for candidacy with the Commission on Higher Education of the Middle States Association of Colleges and Schools"; "The __________ program is being evaluated by the National Association of __________, and it is anticipated that accreditation will be granted in the near future."

3. Any reference to state approval should be limited to a brief statement concerning the actual charter, incorporation, license or registration given.

4. The phrase "fully accredited" must not be used, since no partial accreditation is possible.

5. When accredited status is affirmed in institutional catalogs and other official publications, in print, or via the Internet or other electronic transmissions, it should be stated accurately and fully in a comprehensive statement, including:

a. identifying the accrediting agency by name, including the agency's address and telephone number;

b. indicating the scope of accreditation as:

(1) institutional (regional or national);

Example:

The University of ______________ is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, 215-662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Commission on Recognition of Postsecondary Accreditation.

(2) programmatic (curriculum or unit accredited must be specified).

Examples:

Programs in (Civil Engineering and Aeronautical Engineering) are accredited by the Accrediting Board for Engineering and Technology, a specialized accrediting agency recognized by the (the U.S. Secretary of Education and/or Commission on Recognition of Postsecondary Accreditation)

The Department of Music at the University of ______________ is accredited by the National Association of Schools of Music, a specialized accrediting agency recognized by the (the U.S. Secretary of Education and/or Commission on Recognition of Postsecondary Accreditation).

Programs for the preparation of elementary, secondary, and special education teachers at the bachelor's and master's level, for the preparation of guidance counselors at the master's and specialist degree level, and for school superintendents at the specialist and doctoral degree level are accredited by the National Council for Accreditation of Teacher Education, a specialized accrediting agency recognized by the (the U.S. Secretary of Education and/or Commission on Recognition of Postsecondary Accreditation).

6. The accredited status of a program should not be misrepresented.

a. The accreditation granted by an institutional accrediting agency has reference to the quality of the **institution as a whole**. Since institutional accreditation does not imply specific accreditation of any particular program in the institution, statements like "this program is accredited," or "this degree is accredited," are incorrect and misleading. Institutions wishing to make a statement about the relationship of the degree or program to the institution as a whole should state that the program or degree is offered at an institution which is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, 215-662-5606. The statement should also make clear that this accreditation does not imply specialized accreditation of the programs offered.

b. "Free-standing" institutions offering programs in a single field, e.g., a school of art, engineering, theology, granted accreditation by a regional or national institutional accrediting agency alone, should clearly state that this accreditation does not imply specialized accreditation of the programs offered.

c. Institutions granted the status of Candidate for Accreditation must use the following statement if they wish to describe that status publicly:

Candidacy for Accreditation is a status of affiliation with a regional accrediting commission which indicates that an institution has achieved initial recognition and is progressing toward, but is not assured of, accreditation. It has provided evidence of sound planning and the resources to implement its plans, and appears to have the potential for attaining its goals within a reasonable time. Further, the institution should indicate the effective date (month and year) candidate status was granted.

7. Institutions shall not display the logo of the Commission on Higher Education, Middle States Association of Colleges and Schools, to indicate the accredited status of the institution.

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February 1991
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POLICY STATEMENT

Study Abroad Programs

Study abroad can be an important phase of undergraduate and graduate programs in American colleges and universities. Carefully planned and administered foreign study may add significant dimensions to a student's educational experience. As guidelines for institutions which conduct programs of foreign study or whose students participate in such programs, the Commission on Higher Education urges that a study abroad program should:

1. be clearly related to the objectives of the sponsoring or participating institution;

2. have a well defined rationale stating the specific nature and purpose of the program, and be accurately represented in the institution's catalog and all promotional literature;

3. provide educational experiences that appropriately complement the institution's curriculum;

4. be available to students carefully selected according to ability and interest;

5. distribute accurate information about the availability of financial assistance to students for approved programs of the institution; have a well articulated financial aid policy;

6. have clearly specified language proficiency requirements when appropriate to the program and place of study, and clearly defined methods of testing proficiency prior to acceptance into the program;

7. provide adequate information to intended participants, honestly and specifically describing the program's opportunities and limitations, indicating how and where instruction will be given and by whom; the relationship if any to a foreign institution, explaining grading practices, pointing up especially significant differences between a home campus experience and what can be expected abroad, including information about local attitudes and mores, and describing local living conditions and the extent of responsibility assumed by the program for housing participants;

8. provide comprehensive orientation for participants prior to departure for and after arrival in the foreign country with respect to the matters in number 7 above, augmented with more detailed information and instruction related to the specific program;

9. have an administrative structure that will ensure adequate on-site and home institution's supervision of the program with regular visits by a representative from the stateside home campus. Visits from overseas representatives to the home campus are encouraged;

10. provide instruction by faculty with appropriate academic qualifications and teaching competence whose credentials have been reviewed by the relevant department of the sponsoring U.S. institution;

11. provide counseling and supervisory services at the foreign center, with special attention to problems peculiar to the location and nature of the program;

12. provide access to adequate basic reference materials to offset any limitations of local libraries or inaccessibility to them;

13. include clearly defined criteria and policies for judging performance and assigning credit in accordance with prevailing standards and practices at the home institution and indicate on transcripts that credit was earned abroad; where several institutions are involved with a single overseas institution or in a consortium, a common basis for determining grade equivalence is essential;

14. have established procedures for evaluation of the program by students and faculty;

15. stipulate that students will ordinarily not receive credit for foreign study undertaken without prior planning or approval on the students' home campuses;

16. include provisions for regular follow--up studies on the individual and institutional benefits derived from such programs;

17. assure fair reimbursement to participants if the program is not delivered as promised for reasons within the sponsor's control, or because of international exigencies. Assure, whenever possible, that students will be able to complete their work through independent study and other means.

Cooperative arrangements are urged among American institutions seeking to provide foreign study opportunities for their students. In many cases, directors, cultural opportunities, faculty, and facilities could be shared with significant improvement in the efficiency and economy of the operation. One basic reference collection, for example, supported and used by students from several programs is likely to be more satisfactory than several separate ones. Field trip offerings could be shared with mutual benefit.

Travel programs *per se* or commercially sponsored "study-travel programs" should be thoroughly investigated by the institution. The Commission does not evaluate these activities as foreign study programs of member institutions, nor will it evaluate independent foreign study programs which are not related to the curricula of specific colleges or universities in the United States.

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POLICY STATEMENT

Principles of Good Practice in Overseas International Education Programs for Non-U.S. Nationals

Provided by Middle States Institutions

In 1990, the executive directors of the regional institutional accrediting agencies agreed on a set of principles of good practice in overseas international education programs for non-U.S. nationals. In light of the growing number of institutions establishing branch programs abroad for nationals of other countries, the Commission on Higher Education has reexamined the following principles and revised them to ensure their consistency with the standards of accreditation described in the Commission's primary document, *Characteristics of Excellence in Higher Education*.

Principles of Good Practice

Institutional Mission

1. The international program is rooted in the U.S. institution's stated mission and purposes and reflects any special social or religious elements of that mission.

2. The faculty, administration, and governing board of the U.S. institution understand the relationship of the international program to the institution's stated mission and purposes.

Authorization

3. The international program has received all appropriate internal institutional approvals, including that of the governing board.

4. The international program has received all appropriate external approvals where required, including system administration, government bodies, and accrediting associations.

5. The U.S. institution documents the accepted legal basis for its operations in the host country.

Instructional Program

6. The U.S. institution specifies the educational needs to be met by its international program.

7. The content of the international educational program is subject to review by the U.S. institution's faculty.

8. The international education program reflects the educational emphasis of the U.S. institution, including a commitment to general education.

9. The educational program is taught by faculty with appropriate academic preparation and language

proficiencies, and whose credentials have been reviewed by the U.S. institution.

10. The standard of student achievement in the international program is equivalent to the standard of student achievement on the U.S. campus.

11. The international educational program where possible and appropriate is adapted to the culture of the host country.

Resources

12. The institution currently uses and assures the continuing use of adequate physical facilities for its international educational program, including classrooms, offices, libraries, and laboratories, and provides access to computer facilities.

13. The U.S. institution has demonstrated its financial capacity to underwrite the international program without diminishing its financial support of the U.S. campus. Financing of the international program is incorporated into the regular budgeting and auditing process.

Admissions and Records

14. International students admitted abroad meet admissions requirements similar to those used for international students admitted to the U.S. campus, including appropriate language proficiencies.

15. The U.S. institution exercises control over recruitment and admission of students in the international program.

16. All international students admitted to the U.S. program are recognized as students of the U.S. institution and may enroll into programs at the home campus.

17. All college-level academic credits earned in the international program are applicable to degree programs at the U.S. institution.

18. The U.S. institution maintains official records of academic credit earned in its international program.

19. The official transcript of record issued by the U.S. institution follows the institution's practices in identifying by site or through course numbering the credits earned in its off-campus programs.

Students

20. The U.S. institution assures that its institutional program provides a supportive environment for student development, consistent with the culture and mores of the international setting.

21. Students in the international program are fully informed as to services that will or will not be provided.

Control and Administration

22. The international program is controlled by the U.S. institution.

23. The teaching and administrative staff abroad responsible for the educational quality of the international program are accountable to a resident administrator of the U.S. institution.

24. The U.S. institution formally and regularly reviews all faculty and staff associated with its international program.

25. The U.S. institution assesses its international program on a regular basis in light of institutional goals and incorporates these outcomes into its regular planning process.

Ethics and Public Disclosure

26. The U.S. institution can provide to its accrediting agencies upon request a full accounting of the financing of its international program, including an accounting of funds designated for third parties within any contractual relationship.

27. The U.S. institution assures that all media presentations about the international program are factual, fair and accurate.

28. The U.S. institution's primary catalog describes its international program.

29. The U.S. institution does not sell or franchise the rights to its name or its accreditation.

30. The U.S. institution assures that all references to transfer of academic credit reflect the reality of U.S. practice.

31. The U.S. institution assures that if U.S. accreditation is mentioned in materials related to the international program, the role and purpose of U.S. accreditation is fairly and accurately explained within these materials.

Contractual Arrangements

32. The official contract is in English and the primary language of the contracting institution.

33. The contract specifically provides that the U.S. institution controls the international program in conformity with these principles and the requirements of the U.S. institution's accreditations.

34. The U.S. institution confirms that the foreign party to the contract is legally qualified to enter into the contract.

35. The contract clearly states the legal jurisdiction under which its provisions will be interpreted will be that of the U.S. institution.

36. Conditions for program termination specified in the contract include appropriate protection for enrolled students and for the storage of student records.

37. All contractual arrangements must be consistent with the Commission document, "Contractual Relationships with Non-Regionally Accredited Organizations."

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POLICY STATEMENT

Postsecondary Educational Programs on Military Bases

The establishment of educational programs on military bases designed to provide for the personal and professional growth of personnel through courses and programs in cooperation with accredited and candidate postsecondary institutions is an important and growing facet of American education. It deserves careful attention and responsible direction.

Institutions are encouraged to cooperate with the military services in designing and offering appropriate courses and programs for military personnel and such military-related or civilian personnel as it may be considered feasible to accept. In establishing courses or programs, institutions should recognize that special considerations frequently must be made, e.g., courses designed for the undergraduate on a college campus or for professional preparation in an academic discipline may not adequately meet the needs or capitalize on the experience of military personnel. The usual fixed requirements of residence and traditional methods of instruction and accumulating credits may fail to allow for the unique circumstances of the military person. Hence, an institution offering such courses, while holding to the basic quality essential to good educational programs, should feel free to adapt methods, policies, and procedures to the regimen and conditions under which the military student performs duties and pursues studies.

Providing educational opportunities for interested personnel on military bases is a complex undertaking involving several parties. Certain guides and requisites can provide both incentive and direction for officers of the military. Likewise, helpful guidelines are necessary for educational institutions providing such services. Accrediting bodies and in some instances, appropriate federal or state agencies, also need to have their roles and functions clearly delineated. Successful programs will not be realized unless there is mutual understanding, a sharing of responsibilities, and a marshaling of essential resources.

No program should be initiated until and unless there is clarity of understanding, acceptance of responsibilities, and availability of resources.

The policies and procedures to be followed by the participating parties in the establishment and evaluation of postsecondary educational programs on military bases involve several stages. First, the educational needs and goals of a base must be determined. Second, the institutions best able to serve the needs and fulfill the goals must be selected.

For both the service and the institution, planning and evaluation are inseparable. Planning involves setting goals and evaluation is a study of goal achievement. It is necessary for the institution and the service cooperatively to plan academic programs and agree on measurable outcomes, where appropriate, that would indicate when a program of study has been successful. Particular attention should be given to the assessment of outcomes reflected in improved competence, in contrast to utilizing only the quantitative measures of number of credits earned and degrees awarded.

It is necessary that the institution and the service together develop a memorandum of understanding stipulating their respective responsibilities and subsequently create administrative policies and organizational relationships which are capable of producing desired programmatic outcomes. In establishing new programs, which an institution has not previously offered at off-campus military installations, the institution shall apprise the appropriate accrediting body.

In Section I, which follows, criteria are set forth to assist institutions and the military services in planning Establishing postsecondary educational programs on military bases, and certain joint institutional-military responsibilities are emphasized. Section II spells out the procedures for evaluating those programs and for assuring their quality.

Section I

Planning and Establishing Postsecondary Educational Programs on Military Bases

A. Institutional Responsibilities

1. At a minimum, an institution offering military base programs should be authorized by a state or the federal government and accredited by an agency recognized by the U.S. Secretary of Education and/or the Council for Higher Education Accreditation (CHEA) . The institution's program proposal should establish the institution's eligibility to bid on military base education contracts and provide basic information about the institution and its proposed program(s).

2. The mission of an institution and the objectives of its off-campus program(s) should be clearly and fully stated in sufficient detail to permit comparison between the off-campus and on-campus programs. Curricula should be consistent with the educational program objectives of the military base.

3. The program(s) objectives should respond to requirements of working adults, specify desired curriculum outcomes, and include a commitment to meeting defined educational needs of military personnel.

4. An institution offering military base programs must be simultaneously responsible and responsive. The administrative staff should combine appropriate academic qualifications with knowledge of the purposes, needs and exigencies of military base education. The academic credentials and experience of an off-campus administrator should be similar to those for a comparable position on-campus. In all aspects of program implementation, the administrator acts as agent and representative of the sponsoring institution. While maintaining close and regular communication with the home campus, an off-campus representative should have appropriate authority to make on-site decisions necessary to the effective conduct of the program. Program administrators should not become isolated from academic and institutional affairs, and provision should be made for their continuing professional development.

5. The institution is responsible for maintaining its records and accounts in accordance with accepted principles such as those of the National Association of College and University Business Officers.

Tuition rates should include all charges that are uniformly assessed, with additional fees being limited to those courses, programs or activities for which a further assessment is warranted. Tuition rates and fees should be maintained at the lowest possible rate consistent with making adequate provisions for academic, administrative, and support services, ensuring the quality of the educational program, and providing for evaluation costs.

6. While ensuring comparability of off-campus and home campus curricula, the institution should try to accommodate special needs of military students to the extent possible without compromising quality. Such accommodation may include: flexible scheduling of classes; sequencing required courses so that students may complete programs in a reasonable period of time; awarding credit for successful completion of institutional advanced standing or other approved standardized examinations for well documented prior learning; and for relevant military occupational specialties according to published procedures. Depending upon the nature of the program, an institution may need to offer developmental courses to ensure equality of access for underprepared students.

7. The qualifications of faculty who teach in on-base programs must be comparable to those of campus faculty; the same criteria and approval procedures for appointment and reappointment should apply. Where faculty teaching on-base courses are local

and/or part-time, approval of each instructor is necessary on a course-by-course basis by the appropriate academic department on the home campus. Further, in appointing faculty the institution should ensure that instructors are suited to teaching adult students in a nontraditional setting. Faculty evaluation should encompass both content competence and success in teaching part-time students.

A roster of faculty teaching on-base, including summaries of their professional qualifications, should be provided to the base education services officer each term. A detailed addendum should be furnished the base education services officer if changes occur. The institution should make certain that faculty are available to students on-base for consultation outside of class. Remuneration of faculty teaching on military bases should be comparable to that of faculty teaching similar off-campus courses. Faculty or staff stipends should not be based on class enrollment, although minimum enrollment for offering courses may be required.

8. Admissions criteria should be appropriate for part-time military students and comparable to those in other on-or off-campus programs designed for adult students. Where possible, admission requirements should be stated so as to allow students to present alternative indicators of admissibility equivalent to traditional grade point averages or standardized test scores.

Retention standards should be clearly and publicly stated and consistently applied. It is the institution's responsibility to monitor students' progress and to keep them and their base education officers advised on their current academic standing.

9. It is the responsibility of the institution to make explicit its facilities requirements, to inspect facilities to determine their adequacy, and to assist the service in monitoring their condition. Arranging for special laboratory or shop equipment to conduct the educational programs is primarily the responsibility of the institution, and in its initial proposal the institution will make known any such special requirements.

10. The institution is responsible for ensuring that instruction is of high quality and on a level consistent with program goals. Components of successful instruction include a facilitative classroom environment and excellent teaching. The institution should have both an ongoing faculty development program and a course/teaching evaluation system. The institution should apprise the service of the specific procedures it uses to help ensure the effectiveness of instruction and the realization of program goals.

The institution must also take measures to ensure that course expectations are thoroughly and effectively spelled out for students and faculty, both orally and in course syllabi.

11. The institution should provide a range of academic support services to on-base students, tailored as appropriate to their needs. These services include providing essential information about academic policies and course offerings, details of financial aid, placement services available, student disciplinary policies, academic advisement and assistance with curriculum planning, record-keeping and transcript services. A current catalog should be provided that specifies admission standards, degree requirements, course descriptions, prerequisites, semester load limitations, definition of grades and explanation of grading policies, procedures for transcript forwarding, information release policies, explanation of conditions under which credit earned at other institutions may be applicable to the students' degree program, and the institution's policy concerning student absences and academic integrity. The institution will maintain adequate and accurate student records to include admissions records, transcripts and grades. Institutions shall provide the base education office a copy of the grade report for students who used tuition assistance.

SOCAD institutions will complete and distribute SOCAD student agreement forms for all degree-seeking students enrolled in an approved curriculum.

It is also a responsibility of the institution to provide to the base education service officers all information pertinent to the academic program and to ensure that this information is current.

12. The institution should provide for the professional development of its faculty, including regular feedback on teaching performance, periodic workshops on teaching methods, recognition of scholarly achievements, and encouraging attendance

at relevant academic conferences. A particular responsibility of the institutions is to orient faculty to the needs and situation of adult students in general and in particular to those in the military community. The institution should provide a faculty handbook and develop an orientation program for its faculty, to include an emphasis on understanding and accepting institutional values and goals as they relate to the base program.

B. Responsibilities of the Military

The responsibilities of the service are:

- To conduct regular systematic educational needs assessments for the base, identify needs for new programs, to validate the need for existing programs, and to terminate programs no longer needed, with due regard to the needs of already enrolled students.
- To obtain educational services of the highest quality with due regard to their cost effectiveness for the base. Cost should not be the only or primary factor in obtaining quality services.
- To ascertain that classes are presented at the time and locations agreed upon, and to relay student concerns and comments promptly to appropriate institutional officials.

2. The service should ensure that the institution is licensed, accredited, and meets other expectations for eligibility to bid on educational contracts.

With respect to accreditation, before inviting a program on base, the service should assure itself that, at the time of the institution's most recent reaccreditation, the relevant accrediting body either reviewed a comparable military base or off-campus program conducted by the institution or considered the resources of the institution sufficient to conduct such a program effectively.

The invitation to a particular institution to serve a particular military base should be made by the commanding officer upon recommendation of the ESO. The requirements of the military population, based on a needs assessment, are of primary importance in the decision. The perspective of the military base officials should be augmented by the advice of disinterested but knowledgeable external advisors.

3. The objectives of a military base's educational program should be determined by continuous needs assessments and should be precisely articulated. In formulating objectives for voluntary postsecondary education at a given base, the service appropriately gives highest priority to enhancing military effectiveness and to career mobility both in and after active duty.

Care should be taken, however, that other purposes of higher education not be excluded in setting objectives. The inclusion of broader goals that are not career-specific is consonant with the intent of the Department of Defense Directive that "...Military Service members, as citizens in uniform, should share the same opportunities for education that are provided all eligible citizens."

4. As the counterparts of academic administrators, base education officials play a complementary role by ensuring that the objectives of their base's education program are well defined and are fulfilled. To do this effectively, these officers must be conversant not only with military goals and procedures but also with academic values and academic processes. It is the responsibility of the service to develop and implement a program for the professional development of education officers that is mandatory and specifically provides opportunities for increased understanding of and association with academic institutions.

5. It is the responsibility of the service to provide adequate financial assistance for tuition and fees to support voluntary off-duty education.

6. Curricula should be consistent with the program objectives of the institution and those of the base. It is the responsibility of the service, before inviting an institution on base, to ascertain that curricula for on-campus and off-campus delivery are developed and approved in the same way, that appropriate academic procedures are used in program development and approval, and that the off-campus program is included in the institution's periodic program review. Further, it is the responsibility of the service to indicate, where appropriate, the educational outcomes consistent with the base's educational goals.

7. The service must ascertain that the institution follows good practice with respect to faculty, as defined herein.

8. The service should ensure that, through careful counseling and adequate information, students seeking voluntary postsecondary education enroll in programs appropriate to their abilities and their educational objectives, including career enhancement. ESOs should follow students' progress in their program and provide counseling to students in academic difficulty.

9. It is the responsibility of the service to provide standard classroom and office furniture, and to meet health and safety standards. Classrooms should be well-equipped and, for courses desired by the service that require special laboratory or shop facilities, the service will modify facilities to meet the requirements of a quality educational program. When a base itself cannot provide needed special facilities, a base educational representative may arrange to rent or borrow facilities from local institutions. When special facilities cannot be provided, programs requiring them will not be offered.

10. It is the responsibility of the service to ascertain that the institution utilizes measures to ensure instructional quality.

11. The service is responsible for facilitating student registration in education programs, and for complementing the institution's academic advisement through professional educational counseling. Additionally, the service is responsible for announcing available educational programs through effective and timely dissemination of information throughout the community served by a base.

The service should provide continuous counseling to ensure that the student is making progress toward educational goals and that the individual goals remain appropriate to students' abilities, interests, and career expectations.

12. It is the responsibility of the service to make available to faculty all instructional facilities and equipment specified in the memorandum of understanding. Through the education office the service should provide a general orientation to the military community and to military life. In addition the service should familiarize faculty with the instructional support services to which they have access and with logistical procedures. In the off-campus setting, and particularly overseas, the hosting of faculty becomes the special responsibility of the base education office.

C. Joint Responsibilities of the Institutions and Military Bases

While all of the foregoing are essentially joint responsibilities in a sense, the following are particularly stressed:

1. Every voluntary educational program should be clearly and comprehensively covered by a memorandum of understanding between the military base and the chief executive.

2. Curricula should be consistent with the program objectives of the institution and of the military base. The institution should ensure that curriculum content and course sequence are determined through formal academic processes, that they are comparable to home campus courses and curricula, and that they are subject to periodic review. The curriculum should lead to a certificate, degree or other award based on the completion of a coherent program designed to assure the mastery of specified knowledge and skills. Each military base should have an educational plan and objectives, developed in consultation with the institution(s) offering programs on that base.

3. In advising students, it is the responsibility of both the institution and the service to emphasize that no more than one-half the usual full-time course load is the recommended maximum for a fully employed student.

4. It is the joint responsibility of the service and the institution to ensure that the library resources necessary for postsecondary programs are adequate. Long-range planning is essential.

Courses and curricula should not be approved or implemented until satisfactory arrangements are made to provide adequate supporting print and non-print media resources in the base libraries.

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The institution is responsible, through its faculty and administration, for making certain that adequate print and non-print media resources to support all courses offered are available in a library facility accessible to the students. A reasonable portion of tuition income should be allocated to the purchase of basic reference and frequently used books (other than course textbooks) and relevant periodicals. The military base is responsible for providing professional library services and personnel commensurate with the nature and scope of the educational program.

In cooperation with the institution, professional staff of the base library should conduct orientation workshops for students and assist in evaluating library usage. Funds should be made available for the education services officer to order books, slides, tapes, films and records needed in courses which are taught regularly on the installation, on the basis of requests made well in advance by the institution. Institutional and base librarians should work together to plan for coverage and continuity, joint procurement of materials, and in determining those items to become part of the base library's permanent collection.

Institutions placed in competition with each other in making bids to provide services must guard against the erosion of quality of instruction. To avoid negative aspects of competition, participating institutions on a base should consult among themselves and with the military education services officer. The integrity of all deliberations and negotiations is a joint responsibility of the institutions and the military base.

In advising students, it is the responsibility of both the institution and the service to emphasize that no more than one-half the usual full-time course load is the recommended maximum for a fully employed student.

Planning for the procurement of computers and other equipment should be regularly and systematically reviewed by the institutionsand the base.

In the case of large bases, consideration should be given to establishing an educational advisory committee comprised of educators, service personnel, and other interested parties.

Section II

Evaluating Military Base Programs

Department of Defense (DoD) regulations and institutional accrediting criteria require the involvement of appropriate accrediting bodies in the evaluation of voluntary postsecondary educational programs on military bases. Such involvement relates only to academic or professional programs offered by accredited institutions and not to military training. It rests on the premise that an accredited institution is accountable for all activities conducted in its name and on the direct relationship between the institution and its accrediting body.

Because of the particular character of military base education, change occurs more frequently than in an institutional setting. Transient personnel, varying ages and experience of the students, evolving needs of the service, and numerous other variables affect base programs. Periodic evaluation of total base programs on a regular cycle is necessary to assure quality and credibility. Such evaluations do not alter the direct relationship between an institution and its accrediting body. Neither do they result in the accreditation of the military base as an educational unit.

A. Procedures for Evaluating Military Base Programs

1. For purposes of evaluation normally the total voluntary postsecondary education program on a military base will be visited. Practicality and common sense will determine the need for or nature of visits to small or remote sites and the extent to which sampling of programs may satisfy this item.

2.The accrediting body in whose area the military base is located shall assume primary responsibility for organizing and conducting the evaluation. Other accrediting bodies will be invited to participate in the evaluation visits when institutions accredited by them are involved.

3. At least six weeks prior to a base visit the coordinating accrediting body will obtain from each institution offering educational programs on base:

a. Brief history of the program(s)

b. Enrollment history, academic credits earned, and number of degrees awarded

c. Faculty profile

d. Evidence of liaison and interaction between base and institution

e. Analysis of the program's effectiveness, and of its relation to accrediting criteria and to this document

f. Catalogs, manuals, and other relevant publications

The coordinating body will also receive from the base a report on its educational needs and objectives, and an analysis of how the current offerings are serving those needs and fulfilling the base's voluntary educational objectives.

4. An evaluation team and chair will be selected by the coordinating body with consideration to the number and location of the institutions involved, and where appropriate in consultation with the institutions and the other accrediting bodies.

5. Logistics and agenda for the visit will be arranged through the education services officer on the base, and must include meetings with institutional representatives and the military commanding officer.

6. Individual reports will be prepared for each institution on its program(s) with copies to be submitted directly to the president or to a designated administrator and to the related accrediting body.

A negative report will be cause for immediate follow-up with the institution by the related accrediting body. All other reports become part of the institution's file to be considered at the time its accreditation is next reviewed.

7. A general report on the total base program will be prepared, analyzing the effectiveness of the program in the light of the base's educational needs and objectives, and offering commendations or recommendations as appropriate. The general report will not identify individual institutions and copies will be distributed to base officials, the institutions, and the accrediting bodies. Copies of the institutional program reports will also be provided to base officials.

8. Reproduction and distribution of the various reports will be carried out by the base in cooperation with the coordinating body.

9. Charges for military base evaluations will be billed to the institutions on the basis of actual costs plus 12 percent for overhead, pro-rated on the basis of number of programs and enrollments. The service will provide lodging and meals during the visit.

10. When more than one accrediting body participates in a base visit, costs will be apportioned with particular consideration for coordinating responsibilities.

11. In accord with DoD directives and accreditation requirements, institutions are required to give prior notice to accrediting bodies when planning to establish military base programs. The timing of an on-site evaluation is therefore best determined by the accrediting body in consultation with the institution, but as a general rule new programs should not go more than two years without evaluation, and total base programs not more than five years.

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POLICY
STATEMENT

Considerations When Closing A Postsecondary Educational Institution

Preparing the Way

A decision to close an educational institution requires thoughtful planning and careful consultation with all affected constituencies. Every effort should be devoted to informing each constituency as fully as possible about the conditions requiring consideration of a decision of such importance, and all available information should be shared. Before closing, such alternatives as merging with another institution, forming a consortium, or participating in extensive inter-institutional sharing and cooperation should be carefully considered. As much as possible, the determination to close an institution should involve a consultative process, but responsibility for the final decision to close rests with the board of governors.

Tradition and sentiment are important considerations, but sentimentality should not be allowed to determine events. A decision to close should never be made or reversed simply on the basis of fears, hopes, or aspirations that have little relation to reality. Neither should it be delayed to the point where the institution has lost its viability and its educational program no longer retains quality and integrity. Since the immediate interests of current students and faculty are most directly affected, their present and future prospects require especially sensitive attention and involvement.

It is assumed that closing an institution means a decision permanently to discontinue its educational activities, not merely to suspend them for an indefinite period in the hope that circumstances may someday permit their resumption. But it should be noted that most institutions of higher education are corporations established under the provisions of state law, and as such may have legal responsibilities (holding title to real property, for example) that may necessitate the continued existence of the corporation after the educational activities of the institution have been terminated. Indeed, it is probably that such continued corporate existence, at least for a time, will prove to be the usual situation. It is unlikely that in most cases corporate existence and educational activities can be terminated simultaneously.

Closing an Institution

A decision to close requires specific plans for providing in appropriate ways for the students, the faculty, the administrative and support staff, and for the disposition of the institution's assets. Many considerations bear upon closing an educational institution, and each situation will be unique. Public institutions, seminaries, church related colleges—the nature and sponsorship of each institution require different emphases and pose particular conditions to be met in reaching and carrying out the ultimate decision. Nevertheless, general guidelines may be helpful to each institution considering closing.

This statement makes only incidental reference to such corporate responsibilities and always in the educational context. It is imperative, therefore, that a board of trustees considering closing an institution under its care should be guided not only by guidelines such as these and by the state educational authorities, but also by advice of legal counsel. Special counsel to advise with respect to problems of closing may be desirable for the institution. Institutional and specialized accrediting organizations also should be consulted and kept fully apprised of developments.

Reporting to the Commission: Teach-out Agreements and Other Key Issues

An institution planning to close should report this intention to the Commission as early as possible and certainly no later than six months prior to the planned closure date. To the extent feasible, the Middle States Commission on Higher Education will work with the U.S. Department of Education and with the appropriate State agencies to ensure that the institution has provided students with reasonable opportunities to complete their education.

The closing institution's early report to the Commission must include any draft or finalized teach-out agreement that the institution has entered into or intends to enter into with another institution. The report must demonstrate that the other institution is accredited by a nationally recognized accrediting agency and that the agreement is consistent with applicable standards and regulations. The teach-out plan will be approved only if it provides for the equitable treatment of students by ensuring that (1) the teach-out institution has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonably similar in content, structure, and scheduling to that provided by the closed institution, and (2) the teach-out institution can provide students access to the program and services without requiring them to move or travel substantial distances.

In addition to any teach-out agreement, the report to the Commission should address items A-D detailed below.

A. The Students

Students who have not completed their degrees should be provided for according to their academic needs. Arrangements for transfer to other institutions will require complete academic records and all other related information gathered in dossiers which can be transmitted promptly to receiving institutions. Agreements made with other institutions to receive transferring students and to accept their records should be in writing. Where financial aid is concerned, particularly federal or state grants, arrangements should be made with the appropriate agencies to transfer the grants to the receiving institutions. Where such arrangements cannot be completed, students should be fully informed. In cases where students have held institutional scholarships or grants and there are available funds which can legally be used to support students while completing degrees at other institutions, appropriate agreements should be negotiated.

B. Academic Records and Financial Aid Transcripts

All academic, financial aid information, and other records should be prepared for permanent filing, including microfilming. Arrangements should be made with the state department of higher education or other appropriate agency for filing of student records. If there is no state educational agency which can receive records, arrangements should be made with another college or university or with the state archives to preserve the records. Notification should be sent to every current and past student indicating where the records are being stored and what the accessibility to those records will be. Where possible, a copy of a student's record also should be forwarded to the individual student.

C. Completion of Institutional Obligations

When a student chooses to continue at another institution but is within a year or 18 months of completing an academic degree in the closing institution, arrangements may be made to permit that student to complete the requirements for a degree elsewhere but to receive it from the closed institution. This may require special action by the appropriate state agency. Such arrangements also should include provision for continuation of the institution's accreditation only for this purpose by the accrediting agency involved. These steps normally require the institution to continue as a legal corporate entity for 12 to 18 months beyond the closing data, but any such arrangement must be established in careful consultation with the appropriate authorities and with their written consent.

D. Provision for Faculty and Staff

In every possible case, the institution should arrange for continuation of those faculty and staff who will be necessary for the completion of the institution's work up to the closing data. When faculty and staff are no longer needed, the institution should make every effort to assist them in finding alternative employment.

It should be understood that the institution can make no guarantees, but genuinely good faith efforts to assist in relocation and reassignment are essential. In the event that faculty or staff members find new positions, early resignations should be accepted.

The Final Determination

Determinations must be made to allocate whatever financial resources and assets remain after the basic needs of current students, faculty, and staff are provided for. When the financial resources of the institution are inadequate to honor commitments, the Board should investigate what alternatives and protection are available under applicable bankruptcy laws before deciding to close. If funds are insufficient to maintain normal operations through the end of the closing process, the institution should not overlook the possibility of soliciting one-time gifts and donations to assist in fulfilling its final obligations.

Every effort should be made to develop publicly defensible policies for dividing the resources equitably among those with claims against the institution. One of the best ways of achieving this goal is to involve potential claimants in the process of developing the policies. Time and effort devoted to carrying the process to a judicious conclusion may considerably reduce the likelihood of lawsuits or other forms of confrontation.

It is impossible to anticipate in advance the many claims that might be made against remaining resources of an institution, but the following three principles may help to sort out possible claims and to set priorities:

(a) Students have the right to expect basic minimal services during the final semester, not only in the academic division but also in the business office, financial aid office, registrar's office, counseling and other essential support services. Staff should be retained long enough to provide these services. It may be appropriate to offer special incentives to keep key personnel present.

(b) Reasonable notice is given to all employees, explaining the possibility of early termination of contracts and that the reasons for retaining some personnel longer than others are based on satisfying the minimal needs of students and the legal requirements for closing.

(c) Every effort should be made to honor long-term financial obligations (loans, debentures, etc.) even though the parties holding such claims may choose note to press them.

The Closing Date

The board of trustees should take a formal vote to terminate the institution on a specified data. That date will depend on a number of factors, including the decision to file or not to file for bankruptcy. Another key factor is whether or not all obligations to students will have been satisfactorily discharged. This is particularly important if the decision is made to allow seniors in their final year to graduate from the institution by completing their degree requirements elsewhere. If such arrangements are made, the board must be certain to take the legal action necessary to permit awarding degrees after the institution otherwise ceases to function. Normally, formal vote to award a degree is made after all requirements have been met, but it is legally possible to make arrangements for a student to complete the requirements for a degree at another institution and to receive the degree from the closed institution. These requirements must be clearly specified along with a deadline for completion. Also, the board must identify the person or persons authorized to determine whether or not these requirements have in fact been satisfied. Arrangements must be completed with the appropriate state and accrediting agencies in advance in order to assure that the degree is awarded by a legally authorized and accredited institution.

Disposition of Assets

In the case of a not-for-profit institution, the legal requirements of the state and the federal government must be carefully examined with respect to the disposition of institutional assets. Arrangements for the sale of the physical plant, equipment, the library, special collections, art, or other funds must be explored with legal counsel. In the case of wills, endowments, or special grants, the institution should discus with the donors, grantors, executors of estates, and other providers of special funds arrangements to accommodate their wishes. State laws regarding the disposition of funds from a non-profit institution must be meticulously followed.

All concerned federal and state agencies need to be apprised of the institution's situation and any obligations relating to estate or federal funds need to be cleared with the proper agencies.

Other Considerations

The institution should establish a clear understanding with its creditors and all other agencies involved with its activities to assure that their claims and interests will be properly processed. Insofar as possible, the institution should assure that its final arrangements will not be subject to later legal proceedings which might jeopardize the records or status of its students or faculty.

Conclusion

The closing of an educational institution is never a happy event. Nevertheless, such action can be rendered less traumatic by careful attention to the details of the legal and moral obligations of the institution. Closing will be marked by sadness, but well-planned and conscientious efforts to assure that the institution's students, faculty, and staff will be optimally provided for and that its assets will be used in ways that will honor the intentions of the original donors should help in avoiding bitterness and rancor. A final report on the closing should be submitted to the appropriate accrediting and state agencies for their records.

Approved by the Commission February/June 1981
Adopted by the COPA Board April 15, 1982
Revised by the Commission November 2001

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POLICY STATEMENT

Liaison and Communication between the Commission and Member or Candidate Institutions

The Commission on Higher Education exists to serve the higher educational community and, more specifically, the member and associated postsecondary institutions of the Middle States region.

To serve effectively, the Commission exerts every effort to be sensitive and responsive to the needs of its constituency as well as to the social and political currents affecting education. Consonant with its purpose of striving to improve educational quality, it seeks to balance its obligations to individual institutions with its accountability to the educational community and to the public interest.

The Commission endeavors to maintain complete openness of communication between itself and the institutions with which it works. Thus, every member and candidate institution is expected to provide the Commission with any information deemed pertinent to a determination of its accreditation or other recognized status. Failure to give information to the Commission is sufficient reason for reconsidering its status.

Simultaneously, it is the Commission's obligation to maintain inviolate the confidentiality of information received and not to disclose any action with respect to the status of an individual institution, except within the guidelines of the Commission policy on "Collegiality and Public Communication" or the Commission policy "Statement of Accreditation Status." Under no circumstances is any such disclosure made before the institution itself is notified.

If an institution conducts its affairs in ways which generate serious public concern, the Commission reserves the right to request further information from the institution. The Commission also may find it necessary and appropriate to disclose its position. This may result in a need to breach the usual confidential character of the Commission's relations with an institution. In any event, accreditation or other recognized status is changed or denied only upon clear evidence of loss of educational effectiveness in accord with due process, not as a punitive measure.

When institutions are related to a centralized system or state agency, the Commission will at all times strive to work directly with the individual units.

However, if it becomes necessary to correspond or consult with a coordinating or other agency, such action will be undertaken with the full cognizance of the affected unit insofar as this is feasible.

Generalizations about any specific group or type of institutions will be based only on substantial evidence gathered through normal evaluation procedures.

To the extent possible, the same concern for confidentiality expressed above in paragraph two will be maintained, but the Commission cannot be responsible for unintended uses of its position or correspondence, nor can the integrity of the Commission be compromised by prior or secret agreements with any party on matters affecting the accreditability of institutions.

The Commission's response toward complaints against member or candidate institutions depends on the nature of the charges and the evidence offered.

The Commission does not intervene on behalf of individuals unless the specific complaint, in the Commission's opinion, is related directly and substantively to the quality or conduct of the educational program. If the circumstances do appear to warrant further investigation, the Commission may conduct a confidential inquiry, with the knowledge of

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and in conference with those concerned. (See "Review of Complaints Involving Affiliated Institutions.")

The Commission on Higher Education recognizes the paramount importance of objectivity and fairness in the conduct of its affairs and in its relations with individual institutions.

Should an institution choose to contest a decision of the Commission, an appeals process is provided for in the Bylaws of the Middle States Association.
(See "Procedures for Appeals from Decisions of an Accrediting Commission of the Association.")

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April 1997
February 1984
May 1990
February 1991
Revised 1993
Reaffirmed November 1995

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POLICY STATEMENT

Conflict of Interest Guidelines

for Members of the Commission on Higher Education

The purpose of the attached "Conflict of Interest Statement" is to document the efforts taken by the Middle States Commission on Higher Education to maintain the integrity, credibility, and codes of good conduct in the accreditation process; and to avoid actual conflicts, potential conflicts, or even the appearance of conflicts of interest in the Commission's decisions.

The intent of the Commission is to:

- maintain credibility in the accreditation process and confidence in its decisions
- assure fairness and impartiality in decision-making
- avoid allegations of undue influence in the accreditation process; relationships that might bias the actions, deliberations, ro decisions of the Commission; conflicts that would impair judgment; and circumstances that could interfere with an individual's capacity to make objective, detached decisions
- assure opinions free of self-interest and personal bias
- disclose an existing or apparent conflict of interest
- act impartially and avoid even the appearance of impropriety

Statements concerning appropriate ethical considerations and conflicts of interest are contained throughout various Commission policies and documents. However, for your information and convenience, the pertinent guidelines contained in the policy document entitled "Membership on the Commission on Higher Education" are summarized below:

Commissioners do not receive copies of evaluation team reports if they have employment, business, consultative, or other interest in or relationship to institutions under review and consideration. This includes those persons who belong to a system that includes the institution under review. Examples of such systems include the State University of New York, City University of New York, Pennsylvania State System of Higher Education, University of Puerto Rico and Inter American University of Puerto Rico.

Commissioners must absent themselves from any Commission meeting during any discussion or decision involving an institution with which they have a current or potential relationship or conflict;

Commissioners belonging to governing boards of any institutions that are members of the Middle States Association must absent themselves from discussions or decisions involving such institutions;

Commissioners may not be assigned as readers for an institution with which they have any of the connections described above; nor may they be assigned as readers to any institution that is in the same state. The same principle applies in assigning Commission members as representatives to institutions when a special visit has been mandated by the Commission; and

Commissioners may not receive honorary degrees, consultant fees, or any other form of remuneration from any Middle States member institutions or candidate institutions.

Members of the Commission may not be employed by the Middle States Association or the Commission on Higher Education within a one-year period following their tenure in office.

In addition to those commissioners who are representatives of colleges or universities in the Middle States region, at least one-seventh of the Commissioners are representatives of the public.

In order to meet the federal criteria for recognition by the Secretary of Education, the Commission may not have as a public representative:

- an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools or has applied for accreditation;
- a member of any trade association or membership organization related to, affiliated with, or associated with the Middle States Association; or
- a spouse, parent, child, or sibling of an individual identified above.

In accord with the above guidelines, and to the best of your judgment, **please disclose any conflicts or potential conflicts of interest on the attached form, read carefully the statement at the bottom, and sign and return the form to the Commission office as soon as possible**. The Commission will utilize the information provided to help control the compilation and distribution of information for Commissioners, and to monitor the participation of Commissioners as readers, representatives on visits, or in discussions or decisions concerning institutions.

If, in your opinion, you are not involved in any situations or circumstances which would be considered conflicts or potential conflicts of interest, simply write "none" on the form.

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Originally published as: "Conflict of Interest Statement," July 25, 1991
Revised as: "Conflict of Interest Guidelines," June 1997
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CHE MSA **Commission on Higher Education**
Middle States Association of Colleges and Schools

Conflict of Interest Statement

(Member of the Commission)

Please complete this form and return it as soon as possible to: Executive Director, Middle States Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104.

○ I **am** being considered as a Public Member of the Commission.

○ I **am not** being considered as a Public Member of the Commission.

I have read and fully understand the attached conflict of interest guidelines. To the best of my knowledge, I have disclosed, below and/or on the attached sheet(s), all situations and circumstances which may be considered conflicts of interest or potential conflicts of interest. Also, during my tenure on the Commission, I will voluntarily disclose any situation or circumstance which may, in my judgment, be considered a conflict or potential conflict of interest as it arises.

◆

Signature

Please print or type

Date

Issued: July 25, 1991
Revised: June 1997
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In order to meet the federal criteria for recognition by the Secretary of Education, the Commission may not have as a public representative:

- an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools or has applied for accreditation;
- a member of any trade association or membership organization related to, affiliated with, or associated with the Middle States Association; or
- a spouse, parent, child, or sibling of an individual identified above.

In accord with the above guidelines, and to the best of your judgment, **please disclose any conflicts or potential conflicts of interest on the attached form, read carefully the statement at the bottom, and sign and return the form to the Commission office as soon as possible**. The Commission will utilize the information provided to help control the compilation and distribution of information for Commissioners, and to monitor the participation of Commissioners as readers, representatives on visits, or in discussions or decisions concerning institutions.

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POLICY
STATEMENT

Conflict of Interest - Staff

The Commission on Higher Education seeks to ensure that the personal or professional obligations or interests of all staff, including the Executive Director, do not interfere with their ability to conduct their duties in a fair and impartial manner. This policy statement defines those areas that the Commission considers to represent an actual or potential conflict of interest. The Commission's purpose in defining these parameters is to:

- maintain credibility in the accreditation process and confidence in its decisions
- assure fairness and impartiality in decision-making
- avoid allegations of undue influence in the accreditation process; relationships that might bias the actions, deliberations, or decisions of the Commission; conflicts that would impair judgment; and circumstances that could interfere with an individual's capacity to make objective, detached decisions
- assure opinions free of self-interest and personal bias

The Commission takes great care in making staff assignments to ensure that no conflict of interest or an appearance of a conflict exists. Therefore, staff liaisons to member institutions will not be assigned an institution from which they have graduated or have been employed. If a staff member applies for a position with an institution for which he or she is the designated liaison, the staff member must immediately relinquish responsibility for that institution to another staff member. No staff member may serve as a liaison to an institution at which he or she has applied for a position within the past five years.

In making assignments, the executive director also will consider the status at an institution of close personal friends or family members and the holding of privileged information not available to others involved in the evaluation process.

No staff are permitted to accept honorary degrees or other honors or awards from member or candidate institutions in the Middle States region during the period of their active service.

Unless in exceptional circumstances and subject to the approval of the Commission's executive director or the approval of the Executive Committee for the executive director, staff are not permitted to participate as a representative of the Middle States Commission on Higher Education or the Middle States Association in ceremonial occasions at Middle States member or candidate institutions.

Staff may serve as a consultant to non-member or non-candidate institutions or organizations on their earned vacation time. Any professional consulting arrangement, private consulting, or other employment arrangements between staff and outside organizations or institutions may be made only with the approval of the executive director. Staff may not serve as consultants to member or candidate institutions under any circumstances.

Staff may not serve as a participating member of an assessment visit team for Candidacy or a decennial evaluation team, nor may staff serve as a PRR reviewer for any institution to which the staff member serves as liaison. If the institution is in warning, probation, or show cause, the staff liaison may not serve as the sole evaluator.

Other than for those areas specifically outlined above, the Commission relies on the personal and professional integrity of individuals to refuse any assignment in which an actual or potential conflict of interest exists. If an unanticipated actual conflict of interest develops, staff should withdraw at that point.

It is the responsibility of the employee in all cases to determine whether or not an outside relationship does in fact constitute a conflict of interest. The executive director may, at his or her discretion, bring the matter to the Executive Committee for specific waivers or for other consideration. ❖

Approved by Commission, February 2000
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POLICY
STATEMENT

Maintenance and Retention of Commission Records

This statement delineates the records management initiatives developed earlier in two of the Commission's planning documents, *CHE Strategies and Priorities: 1989-1992*, and *CHE Institutional Database Management System.* The statement outlines the policies, objectives, and procedures of the Commission pertaining to the retention and disposition of all records maintained in the Commission office and in off-site storage facilities.

The objectives of the records retention program include:

1) establish retention periods for all Commission records;

2) periodically dispose of records that no longer have an enduring administrative, historical, operation, and/or legal value to the organization;

3) retain and preserve records that have continuing historical, operation, research, or legal value;

4) reduce the need to purchase additional filing equipment or provide additional floor space for file storage;

5) provide rapid retrieval of records that may be required for reference purposes;

6) reduce the cost, and increase the efficiency of Commission record-keeping.

Records are identified as any paper, book, photograph, microfilm, optical disk, map, drawing, chart, card or magnetic tape or disk; and includes reports, institutional self-studies, correspondence, minutes of formal meetings, memoranda, institutional publications, evaluators' records, and other materials which are generated or received by the Commission and its staff in connection with the Commission accrediting function. Records retention periods apply only to the designated "*official*" copy of the record, i.e., the one copy of the record established as the official file copy; not duplicate copies which are made for informational or convenience purposes.

Duplicate copies, or materials such as card and notebook indices, brochures, newspaper, magazine, or journal articles, and other publications; and miscellaneous correspondence and memoranda such as confirming dates for staff visits, invitations to attend conferences, etc., and other incidental or personal business of Commissioners and/or staff are retained only for so long as they serve any useful purpose. Commission staff are responsible for taking the time to review and purge these types of records at least once every two years.

Inactive hardcopy records, i.e., those whose reference frequency is so low that their removal from the office area would not hamper operations at all, are microfilmed and/or transferred to storage locations until scheduled for destruction.

All data stored on magnetic media or disk (computer records) are retained on a current basis, or until superseded. Computer records are archived to tape by Commission personnel Monday through Thursday as a security precaution. Retention, storage, and disposition of Commission computer records stored on magnetic media or disk are the responsibility of Commission personnel, in accordance with the retention periods specified in the records retention schedule, and in consultation with the Associate Director.

Member institutions are given the option of having their original self-study reports and periodic review reports returned rather than having them destroyed by the Commission in accordance with the records retention schedule.

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Records may be subject to subpoena by private litigants and governmental agencies. Generally, the destruction of records pursuant to a normal policy of records retention creates no legal or ethical problems. However, in the following situations, the destruction of records must be suspended in the area of question at least until the matter is resolved:

1) after a formal request requiring the production of documents;

2) during the course of alleged voluntary cooperation with governmental authorities; or

3) after learning of a relevant inquiry but before being contacted by the authorities.

Subject to lawful court order, or by decision of the Commission, or by action of the Board of Trustees of the Middle States Association or their Executive Committee, the records of the Commission relating to the evaluation or accreditation of any present, prospective, or former institutional member of the Association shall be confidential and shall not be disclosed outside the Association without the prior written consent of the governing authority of the institution concerned, except in a case where the institution's own release of information distorts or otherwise creates a misleading impression of its accredited status or its relation to the Commission. The Commission's policy entitled "Collegiality and Public Communication in the Accrediting Process" is intended to protect the confidentiality and promote the effectiveness of evaluation and accreditation processes.

The specific guidelines for the retention of Commission records are set forth in the Commission's records retention schedule.

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February 1991
Issued 1993
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CHE MSA
Middle States Commission on Higher Education
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POLICY STATEMENT

Review of Commission Standards, Policies, and Procedures

The primary document of the Middle States Commission on Higher Education, *Characteristics of Excellence in Higher Education: Standards for Accreditation*, is reviewed and approved periodically by the colleges and universities that are accredited by the Middle States Commission on Higher Education. The Commission conducts ongoing review of the standards by soliciting written comments following on-site evaluation. The standards are reaffirmed at least every seven years, based on an assessment of the adequacy of all standards as meaningful measures of quality. If the Commission determines that changes in the standards may be warranted, proposals will be submitted within one year to the member institutions and other constituencies for comment or discussion. Thereafter, proposals will be sent to the membership for approval.

Policies and procedures are considered to be elaborations of the basic statement. Policies that define the self-study, peer review, and other accreditation processes are also subject to review by the Commission and other constituents, and are subject to member approval. Policies and procedures that are advisory in nature or involve the administration of the Commission do not require constituent review or member approval.

Suggestions and recommendations are regularly solicited from the Commission's constituency and other appropriate communities of interest to ensure the relevance and appropriateness of the Commission's policies and procedures. In addition, the experience of institutions and evaluation teams provides continuous commentary on the quality and practicality of Commission documents.

The Commission reviews its policies and procedures in accord with the cycle outlined below:

In the year following the cyclical review of *Characteristics of Excellence*, the Commission reviews other policies and procedures which are affected by changes in *Characteristics*.

After first review by the Commission, the text of proposed new policies or major substantive revisions is published on the Commission's website and in the newsletter or other special publication. Comments are solicited from the Commission's broad readership, which includes member and candidate institutions, other acccrediting organizations, The Council for Higher Education Accreditation (CHEA), U.S. Department of Education, state agencies of higher education, professional associations, higher education organizations, and other communities of interest. The document is returned to the Commission for second review and approval.

Following Commission approval, member institutions are given the opportunity to vote on the policy by mail ballot, as allowed by the Bylaws of The Middle States Association of Colleges and Schools, or at a special meeting convened by the Commission for that purpose.

Policy statements which originated with other organizations (such as the Council for Higher Education Accreditation) and are endorsed by the Middle States Commission on Higher Education also must be approved by the institutions that are accredited by the Commission.

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June 1978
February 1984
February 1991
Issued 1993
Reaffirmed February 1996

Revised by the Commission November 2001

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POLICY STATEMENT

Review Of Complaints Involving Affiliated Institutions

Statement of Purpose

The Commission on Higher Education recognizes the value of information provided by students, employees, and others in determining whether an institution's performance is consistent with the Commission's standards and expectations for accreditation. The Commission's interest also is in assuring that member institutions maintain appropriate grievance procedures and standards of procedural fairness and that procedures are followed appropriately.

The procedures for the review of complaints involving affiliated institutions enable the Commission to address possible violations of its standards of accreditation, eligibility requirements, policies, or procedures, as well as to address possible violations of an institution's own policies or procedures.

Because the Commission's complaint procedures are for the purpose of addressing any non-compliance with the Commission's or the institution's standards, policies, or procedures, the procedures are not intended to be used to involve the Commission in disputes between individuals and affiliated institutions, or cause the Commission to interpose itself as a reviewing authority in individual matters of admission, grades, granting or transferability of credits, application of academic policies, fees or other financial matters, disciplinary matters or other contractual rights and obligations. Nor does the Commission seek redress on an individual's behalf. Under no circumstances does the Commission respond to, or take action on, any complaint or any allegation that contains defamatory statements.

The Commission expects individuals to attempt to resolve the issue through the institution's own published grievance procedures before submitting a complaint to the Commission. Therefore, the Commission's practice is not to consider a complaint which is currently in administrative proceedings, including institutional proceedings, or in litigation. However, if the complaint raises issues which are so immediate and delay may put the institution's accreditation in jeopardy or delay has the potential to cause harm to students or the campus community, the Commission may, at its discretion, choose to proceed with the review.

Complaints must be submitted in writing and addressed directly to the Commission on Higher Education by the aggrieved individual(s). The Commission will not entertain complaints that are not in writing or which are anonymous. The Commission will not act on complaints submitted on behalf of another individual or complaints forwarded to the Commission.

Procedures

The following procedures will be followed for all complaints received by the Middle States Commission on Higher Education.

- The complaint should identify any steps already taken to resolve the complaint within the process provided for by the institution. The complaint should include the result of those proceedings and any related documentation. The complaint also should identify the standards, policies or procedures which have been allegedly violated.
- All complaints should be submitted to the Executive Director, who may assign the complaint to a staff member for substantive review.
- The Commission recognizes the importance of timely resolution of complaints and endeavors to resolve complaints as promptly as feasible, consistent with fairness to the

complainant and the institution. Receipt of all complaints will be acknowledged within thirty days. Complainants will be informed of the limited scope and nature of the Commission's procedures.

- The Commission considers all complaints to be confidential between the complainant and the Commission, until such time as written permission for disclosure is received from the complainant. The Commission will not contact the institution concerning the complaint until such permission is received. However, the Commission cannot proceed with its review unless the institution is able to respond to the specific charges in the complaint. If the complaint is not within the purview of the Commission, the Commission will provide to the complainant a written explanation as to why it cannot be acted upon by the Commission.

  If it is not clear whether the complaint appears to be within the purview of the Commission, the complainant will be contacted for further information or documentation in order to determine the status of the complaint.

- If the complaint appears to be within the purview of the Commission, the assigned staff will contact the complainant regarding the Commission's consideration of the complaint, seeking further clarification or support of the complaint in order to consider the complaint fairly, and/or requesting authorization to forward the complaint to the institution for response.

- After obtaining written permission from the complainant, the Commission will ordinarily forward a copy of the complaint to the principal administrative officer of the institution and request an institutional response. The institution is asked to respond to the Commission regarding the complaint within 60 days after the Commission mails a copy of the complaint and related materials to the institution. In consideration of the circumstances of or issues raised in the complaint, the Commission may, on occasion, request a response within a shorter period.

- If an institutional response is not received by the Commission within the requested time period, or if the Commission does not consider the institutional response to have satisfactorily resolved the issue or issues raised in the complaint, or if the Commission otherwise concludes that a violation of the Commission's standards for accreditation, eligibility requirements or procedures may have occurred, the Commission may initiate further proceedings as the circumstances warrant, including the initiation of proceedings which may result in an adverse action. The complainant will be informed of the status of the review within thirty days after the institutional response is received.

- If the Commission determines that the institutional response satisfactorily addresses the issue or issues raised in the complaint, or if the Commission is otherwise satisfied upon its own review that no violation of the Commission's standards for accreditation, eligibility requirements or procedures has occurred, the matter will be considered closed. The complainant will be informed of the review in writing within thirty days after the institution has submitted its response.

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November 1959
February 1991
Issued 1993
Revised and Approved by Membership, April 1996
Revised and Approved by Membership, March 1999

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Schedule of Dues and Fees

[Effective: September 3, 2002]

Middle States Commission on Higher Education
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The Commission's Financial Policy

The Commission's financial support comes from two sources: annual membership dues and fees paid by accredited and candidate institutions of higher education in the Middle States region, and fees associated with special services and programs. Each institution's financial support helps to sustain an independent non-government accrediting process, encourage the improvement of higher education, and ensure freedom so that institutions might participate in the development of policies and procedures which foster educational excellence.

Fees for various services are utilized to cover the actual costs of those activities, including staff travel and administrative overhead. Staff members ordinarily make one visit to an institution at the beginning of the self-study process. After the initial visit, travel and lodging expenses incurred during each subsequent visit will be billed to the institution.

All fees, charges, and travel reimbursements are billed by and payable to the Middle States Association of Colleges and Schools. All team members, consultants, and special visitors are reimbursed through the MSA office upon presentation of vouchers and receipts. Direct financial transactions between evaluators and host institutions are not permitted.

Annual Dues

Member and candidate institutions are billed for annual dues on the basis of the total educational and general expenditures (excluding mandatory transfers) figure taken from the previous fiscal year's audited financial statements. (Note: In the table below, E&G expenses are in millions of dollars.)

E&G	Dues	E&G	Dues	E&G	Dues
<$4.199	$ 836	$20.0–$23.99	$4,232	$66.0–$99.99	$7,050
$4.2–$7.99	$1,176	$24.0–$29.99	$5,173	$100.0–$199.99	$7,150
$8.0–$11.99	$1,907	$30.0–$35.29	$6,270	$200.0–$499.99	$7.300
$12.0–$15.99	$2,691	$35.3–$41.99	$6,793	$500.0–$999.99	$7,500
$16.0–$19.99	$3,449	$42.0–$65.99	$6,950	$1,000.0 >	$7,700

Candidates for Accreditation

(1) **Application Phase 1: Initial Review**. Fee for institutions that submit materials for an initial review for eligibility by the Commission on Higher Education.
Fee: $2,000.

(2) **Application Phase 1: Visit**. After an initial review of the documents, if it appears that an institution meets the Commission's eligibility requirements, a Commission staff member will visit the institution to gather further information, tour the facilities, discuss the full application

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procedure, and review the MSCHE standards for accreditation and the Commission's expectations for the remaining materials that the applicant will prepare.

Fee: $500, plus lodging and travel related costs.

(3) **Application Phase 2; Application for Candidacy.** Fee for institutions applying for Candidate status. This fee is submitted with the self-assessment document.

Fee: $2,000. (Subject to change without notice.)

(4) **Application Phase 2: Applicant Assessment Visit**. After a review of the self-assessment document, a two- or three-person team, plus a member of the Commission staff, will visit the institution to assess the institution's readiness for candidacy status.

Fee: $500, plus lodging and travel related costs for all visitors, and stipends for the assessors (Chair $150; each additional visitor $50).

(5) **Candidate Consulting Visit**. This is usually a one day visit conducted by the person appointed to serve as a consultant to the institution throughout the candidacy period. Although the consultant typically makes two visits per year in most cases, the Commission staff liaison will join the consultant for one visit each year.

Fee: $500. The institution pays the cost of all travel, lodging and meals, if necessary, for the consultant and staff liaison. Consultant receives a $150 stipend per visit.

(6) **Candidate Status Review Visit**. A visit by a small team appointed by the Commission when it feels the institution is failing to make satisfactory progress toward accreditation or if a major change has occurred since candidacy was granted.

Fee: $500, plus hotel and travel costs, and stipends for the visitors (Chair $150; each additional visitor $50). Should a staff member accompany the team, the institution pays lodging and travel related expenses.

(7) **Appraisal of Readiness for Initial Evaluation**. This visit is usually a one-day consultative visit. It is designed to allow the Chair to make a judgment about the appropriateness and thoroughness of the self-study, not about the accreditability of the institution.

Fee: $250, travel related costs, and stipends for the visitors (Chair $150; each additional visitor $50). In addition, the institution provides single rooms and meals for the visitors or reimburses such costs.

After acceptance as a Candidate, annual dues are assessed in accordance with the institution's total educational and general expenditures, excluding mandatory transfers. (See "Annual Dues" for further information).

Self-Study Evaluation

The direct cost of a MSCHE self-study evaluation includes the following items (excludes charges billed by a state or specialized agency to cover the expenses incurred by its representative[s]):

(1) **Deposit Against Expenses**. A deposit against expenses is due one month prior to the date of the evaluation visit.

Fee: $2,000 deposit.

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(2) **Evaluation Team Visit**. Initial accreditation or reaffirmation of accreditation.
Fee: $1,500 for each institution, $500 for each branch campus (in accordance with the Commission's definition), and $250 for each additional location that the team visits. (See "Appraisal of Readiness for Initial Evaluation").

In addition: a) $325 stipend for the team chair or co-chair appointed by the Commission and reimbursement of travel expenses (includes preliminary and evaluation visits to the institution, and travel to the Commission's office to present the report).

b) $50 stipend for out-of-pocket expenses and reimbursement of travel expenses for each team member appointed by the Commission.

c) Report processing, handling and shipping: $50 for the team chair if the institution duplicated the report (to cover typing, telephone calls, and other incidental costs incurred by the chair in preparing the report), or $200 if the team chair has the report duplicated, in which case the institution is entitled to 50 copies.

d) The institution provides single rooms and meals for Commission visitors and pays for them directly. If institutional and auditing procedures require it, the cost of lodging and meals will be paid by the Middle States Association and reimbursed by the institution.

Collaborative Visit

The evaluation team for a collaborative visit is comprised of representatives of the Middle States Association and of one or more other accrediting agencies. The Commission's fee structure is the same as the Self-Study Evaluation and applies only to those team members appointed by the Commission. The institution is responsible for fees and expenses assessed directly by the collaborating accrediting agency or agencies.

Periodic Review Report Costs

The fee covers the direct cost of a MSA/CHE evaluation via a Periodic Review Report (PRR). This includes the cost of report processing, handling and shipping of PRR documents, and costs associated with transportation, meals, lodging and nominal honoraria for two PRR Readers and one Fiscal Staff Associate.
Fee: $1,500.

Visits Outside the United States

Study Abroad Visit. All visits to institutions or units of institutions, including staff visits, outside the Middle States region or the continental United States are charged at full cost for transportation, housing, and meals. All visitors, except staff members, receive a stipend of $150. Total costs for coordinated evaluations for Study Abroad programs will be pro-rated.
Fee: $500 per site.

Other Visits

(1) ***Self-Study Follow-Up Visit***
Fee: $500; single or chief visitor, $150 stipend; additional visitors, $50 plus lodging and travel related expenses in each case. Lodging and travel related expenses incurred by staff also will be billed to the institution.

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(2) ***PRR Follow-Up Visit***

Fee: $500; single or chief visitor $150 stipend; additional visitors $50 plus lodging and travel related expenses in each case. Lodging and travel related expenses incurred by staff also will be billed to the institution.

(3) **Deferment Visit**. A visit following a deferment of action on accreditation for a period up to two years

Fee: $500; single or chief visitor $150 stipend; additional visitors $50 plus lodging and travel related expenses in each case. Lodging and travel related expenses incurred by staff also will be billed to the institution.

(4) **Generalist Visit**. When a specialized accrediting agency visits a Middle States institution independently, the Commission, at the institution's request, may appoint one or more generalists to work with the specialist visitors.

Fee: $300; single or chief visitor, $150 stipend plus lodging and travel related expenses; additional visitors, $50 stipend plus costs.

(5) **Institution-Requested Visit**. A visit to an institution by Commission staff, at the request of the institution, to provide guidance in areas such as accreditation, outcomes assessment, substantive change, distance learning, etc.

Fee: $500, plus lodging and travel related expenses incurred by staff will be billed to the institution.

(6) **Substantive Change**. A fee will be assessed if the proposed institutional change is substantive and requires Commission action (see "Institutional Change" policy statement).

Fee: $500.

In addition, if a visit is required: $500; a $50 stipend for each visitor; plus reimbursement of lodging and travel related expenses for each visitor and MSCHE staff.

(7) **Staff/Commission Directed Visit**. At the direction of staff or the Commission, members of the Commission and/or staff may make visits, other than those listed above, relating to an accreditation decision.

Fee: Lodging and travel related expenses are billed to the institution.

Evaluation Team Associate

The Commission will not assess a fee on the Associate's institution, and the Commission will credit to the institution being visited $400 against expenses incurred by the evaluation team. The Associate is responsible for lodging and travel costs (including incidental travel costs) to and from the evaluation site.

(1/22/91; 7/22/94; 9/22/95; 5/15/96; 7/29/97; 5/12/98; 2/29/99)
(Revised 6/1/01; 7/1/02; 9/3/02)

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CHE MSA **Middle States Commission on Higher Education**
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POLICY STATEMENT

Statement of Accreditation Status

For each candidate or accredited institution in its membership, the Commission maintains an official statement of that institution's current status and recent accreditation history. This document, the Statement of Accreditation Status (SAS), is developed by the Commission based on Commission action and information provided by the institution through annual reporting.

The SAS provides important basic information about the institution and its affiliation with the Commission and provides context for Commission actions.

In addition, the SAS provides information that may be shared with interested members of the public who wish to have more detailed background about an institution than that which is available from the Commission's directory. Consistent with its policy "Policy and Procedures for Notification of Accreditation Decisions," and its policy statement "Collegiality and Public Communication," the Commission, upon inquiry, will share in writing information in the SAS with the general public as specified below. However, no information regarding Commission action on an institution is disclosed to the public until the institution itself has received notice regarding the action from the Commission.

The range of possible Commission actions includes adverse actions as well as actions that may be perceived as negative by the institution. When the Commission takes any action other than reaffirmation of accreditation—whether based on an evaluation visit, a periodic review report (PRR), a required follow-up, or an unanticipated development in an institution's affairs—the SAS will note the date of and reasons for the action. (For a complete list of the Commission's actions, see "Range of Commission Actions on Accreditation.")

If the Commission takes an action to remove accreditation, to deny candidacy, or to place the institution on show cause, the Commission will work with the institution to develop a joint statement, or Public Disclosure Notice, about the action for use in responding to public inquiries. If the institution files an appeal, information about the appeal also will be included. The statement will provide the reasons for the Commission's action. The Commission will direct further public inquiries to the institution itself. Staff also will develop a Public Disclosure Notice for other actions at the institution's request, and as deemed appropriate by staff.

In accord with Commission policy as stated in the MSA Bylaws, an institution has the right to appeal an adverse Commission action. An adverse action is defined as denying candidacy or initial accreditation, or terminating or denying renewal of candidacy or accreditation. The SAS will note the date of any request for reconsideration, the first step in the appeals process, and the date of an appeal and its status or outcome.

The SAS is intended to provide general information about an institution as well as more specific information about recent accreditation activity.

The first section of the SAS contains the following information, based on self-reported data provided by the institution on its Annual Institutional Profile:

- ☐ The name, address, telephone number and web site of the institution and name of the chief executive officer; if part of a multi-unit system or district, the name, address and telephone number of the system/district and name of its chief executive officer.
- ☐ A description of the institution that includes whether the institution is public or private, whether it is affiliated with a particular entity, and the degree levels offered. Expansion or change of degree programs or establishing degrees through distance learning may be restricted by Commission policy or action, and they may require approval prior to implementation.

- ☐ An indication whether the institution utilizes distance learning delivery. If more than two programs have been approved, and no further approval is required, the SAS will simply state "Yes" for distance learning delivery.
- ☐ National and specialized accreditation.
- ☐ A list of branch campuses, additional locations offering at least 50% of a degree program, and other instructional sites.

The second section of the SAS presents a brief history of the institution's relationship with the Commission and indicates the ways in which the Commission may monitor the institution in the future, including:

- ☐ The institution's current accreditation status (Candidate for Accreditation or Member), the date when the current status was first granted, and the date of the most recent reaffirmation of that status.
- ☐ The date and nature of the most recent accreditation action, including a description of any required follow-up activities and the specific areas in which follow-up is required.
- ☐ The date of the last comprehensive evaluation and a description of accreditation activities and actions since that evaluation.
- ☐ The academic year in which the on-site evaluation following self-study is scheduled. (A self-study is currently required every 10 years.)
- ☐ The date when the next periodic review report is due. (A PRR is currently required in the fifth year after a self-study evaluation.)
- ☐ The date the SAS was printed.

Approved by the Commission November 2001

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POLICY STATEMENT

Financial Policy

The Commission's financial support comes from two sources: annual membership dues and fees paid by accredited and candidate institutions of higher education in the Middle States region, and fees associated with special services and programs. A current "Schedule of Dues and Fees" is available from the Commission offices.

Each institution's assessment helps to sustain an independent non-governmental accrediting process, encouraging the improvement of higher education and ensuring freedom. This non-governmental accrediting process allows and encourages institutions to participate in the development of policies and procedures which foster educational excellence.

Evaluation charges and processing fees for various services are utilized to cover the actual costs of accreditation-related activities, including staff travel and administrative overhead. Staff members ordinarily make one visit to an institution at the beginning of the institutional self-study, related to the impending evaluation. After the initial visit, travel and lodging expenses incurred during each subsequent visit will be billed to the institution.

All travel-related expenses incurred by staff during overseas visits are billed at cost.

All fees, charges, and travel reimbursements are billed by and payable to the Middle States Association. No fees or reimbursements are to be paid by an institution directly to evaluators, consultants, or other representatives assigned by the Commission.

A portion of the dues and fees also support the general activities of the Middle States Association of Colleges and Schools, which is the parent corporation that provides some services to its three operationally and fiscally autonomous commissions: the Commission on Higher Education, Commission on Secondary Schools, and Commission on Elementary Schools.

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March 1953
February 1984
February 1991
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Revised November 1995
Revised April 1997

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POLICY STATEMENT

Political Intervention in Education

The independence of educational institutions and their academic freedom are essential to the quality and integrity of all education. Teaching and learning require free and full exposure to information and ideas, the right to question or dissent, and opportunities to study, research, and debate unafraid or unintimidated by political power or pressure. By its very nature, the academy requires that inquiry and analysis must be guided by evidence and ethics, unfettered by political intervention.

A college or university must be sensitive to the conditions of the society in which it exists, but it must also be free to determine how to be most responsive and responsible. Political interference in the affairs of an educational institution presents a profound threat to its freedom and effectiveness. Direct intervention by governors, legislators, political parties, or pressure groups in the selection of faculty, the determination of curricula, textbooks, or course content, or in admissions and retention policies, invariably injects factors which are irrelevant and often inimical to the fulfillment of an institution's mission and goals. In the matter of appointments, for example, political control at any level results in divided loyalty and weakened authority. To impose political considerations upon faculty selection and retention harms an institution intellectually and educationally, not only by reducing its options in the recruitment of talent but also by creating pressures against dissent on important policy issues. When political considerations that have nothing to do with the functions of the office determine the selection of trustees or similar officers, they impose unneeded restrictions on choice. Moreover, appointments based on political grounds entail external liaisons which may militate against the educational purposes of the institution.

If the tenure of an educational administrator is subject to the wishes or whims of political partisans,

or if appointments to the board of trustees or the faculty are made only with regard to their political implications, the institution may be weakened and its prospects for excellence seriously diminished.

The Commission believes that all educational institutions, and particularly those in the public sector, must be aware of the current political climate at all levels of government. At the same time, they must be alert to political encroachment which might jeopardize their functions as educational institutions and diminish their potential for excellence.

The Commission is accountable for upholding the quality and integrity of the institutions it accredits and is deeply committed to the principles enunciated in this statement. When, in the Commission's judgment, these principles are threatened or contravened, the Commission will express its concerns publicly.

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February 1984
February 1990
February 1991
Revised 1993

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CHE MSA
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POLICY
STATEMENT

Commission Reporting to the U.S. Department of Education

In addition to the reporting detailed in "Policy and Procedures for Notification of Accreditation Decisions," the Middle States Commission on Higher Education complies with federal reporting requirements by providing to the U.S. Department of Education:

1. a copy of any annual report it prepares;

2. a copy of any printed directory of accredited and candidate institutions or access to the directory on the Commission's website;

3. a summary of major accrediting activities during the previous year, if requested by the Secretary to carry out the Secretary's responsibilities;

4. notification of any proposed change in policies, procedures, or accreditation or preaccreditation standards that might alter its scope of recognition or compliance with the criteria for recognition;

5. the name of any institution accredited by MSCHE that MSCHE has reason to believe is failing to meet its Title IV, Higher Education Act (HEA) program responsibilities or is engaged in fraud or abuse, along with the agency's reasons for concern about the institution;

6. and, if the Secretary requests, information that may bear upon an accredited or preaccredited institution's compliance with its Title IV, HEA program responsibilities, including the eligibility of the institution to participate in Title IV, HEA programs.

Approved by the Commission November 2001

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POLICY
STATEMENT

Complaints Against the Commission

To be considered as a formal complaint against the Commission, a complaint must involve issues broader than concern about a specific institutional action or a specific team. The document must state clearly the nature of the complaint, and it must be signed.

The Executive Director, on behalf of the Commission, responds to each complaint made against the Commission within 30 days; reports regularly to the Executive Committee and the Commission on the nature and disposition of complaints against the Commission; and compiles annually a list, available to the public on request, that summarizes the complaints and their dispositions. Upon advice of counsel, the Commission retains the right to withhold public disclosure of information if potential legal action is involved in the complaint.

If a complaint filed against the Commission under the provisions of this section is not resolved by the Executive Director, the Commission chair shall designate one or more persons to review the handling of the complaint. The Commission shall review the report of the designated reviewer(s) and shall notify the complainant and the Executive Director of its response.

For complaints regarding individual institutions, see the policy "Review of Complaints Involving Affiliated Institutions."

Approved by the Commission November 2001
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POLICY
STATEMENT

Committee Meeting Guidelines

The committees of the Commission designated to review institutional reports are the Committee on Evaluation Reports, Committee on Periodic Review Reports, Committee on Follow-Up Activities/ Candidate Institutions, and the Substantive Change Committee. All committees except the Substantive Change Committee are expected to recommend an action to the Commission. The Substantive Change Committee is authorized to act on behalf of the Commission. All committees are chaired by a member of the Commission.

Committee members receive numerous institutional documents and instructions which enable them to complete thoroughly their specific review assignments and to participate in the decision-making process for all institutions on the day's agenda. All committee members are encouraged and expected to attend in person and to stay for the duration of the meeting.

Committee on Evaluation Reports

The committee meets several times each year and is charged to review institutions that have submitted their decennial self-study documents and hosted a peer review team. A commissioner, the Chair of the evaluation team, and the staff liaison are assigned to each institution and serve at the committee meeting as reviewers and presenters.

Role of the Evaluation Team Chair

The Chair presents a brief of the evaluation team report orally, discusses in greater detail any concerns or commendations the team expressed regarding compliance with accreditation standards, and proposes the action that the Committee should recommend to the Commission. The Chair's brief is a succinct reflection of the team's findings and should be no more than two pages in length. It is further described in the *Handbook for Chairing and Hosting an Evaluation Team.*

Role of the Commissioner

Prior to the meeting, the commissioner reviews the four major documents involved in the evaluation cycle: 1) the institutional self-study document; 2) the evaluation team report; 3) the Chair's brief of the evaluation report; and 4) the institution's response to the evaluation report. At the meeting, the commissioner will read comments from a one- or two-page prepared paper and propose an action to the Commission.

Role of the Staff Liaison

Staff serve as a resource. As appropriate, the assigned staff person may provide comments and answer questions or address concerns of the committee regarding the institution.

Role of the Chair and Other Members of the Committee

A commissioner serves as Chair of the committee and, as Chair, is responsible for assuring that there is appropriate participation and consistency in the decision-making process. The Chair allows general discussion and questions by everyone present to facilitate agreement on the action which the committee will recommend to the Commission. The committee decides if the institution should be placed on the agenda for consent or discussion by the Commission.

Committee on Periodic Review Reports

This committee is an *ad hoc* committee charged with reviewing a comprehensive report submitted by each institution five years after its decennial review and visit. Institutions submit their reports in June. After thorough review of the materials, the committee convenes in October.

Role of the External Reviewers

In advance of the meeting, each reviewer receives packets for each institution on the agenda, which include 1) the executive summary for each PRR; 2) the external reviewer's analysis; 3) the reviewer's brief; 4) the finance associate's report; and 5) the institutional response.

The first reviewer will read orally a brief of the reviewers' report, make additional observations if desired, and propose the action that the Committee should recommend to the Commission.

The second reviewer will make additional comments relative to key issues in the institution's report and the reviewers' report.

Role of the Staff Liaison

Staff serve as a resource. As appropriate, the assigned staff person may provide comments and answer questions or address concerns of the committee regarding the institution.

Role of the Chair and Other Members of the Committee

A commissioner serves as Chair of the committee and, as Chair, is responsible for assuring that there is appropriate participation and consistency in the decision-making process. The Chair allows general discussion and questions by everyone present to facilitate agreement on the action which the committee will recommend to the Commission. The committee decides if the institution should be placed on the agenda for consent or discussion by the Commission.

Committee on Follow-Up Activities/Candidate Institutions

The committee is charged with reviewing reports from: 1) institutions for which the Commission has mandated follow-up reports or activities; and 2) institutions seeking or already in Candidate for Accreditation status.

Role of the Committee Members

The committee is composed of five or six commissioners. Each commissioner is assigned a comparable number of reports. For follow-up activities, the committee is charged with reviewing all institutional and special visit reports, evaluating them in light of the concerns expressed by the Commission in its requests, and recommending appropriate actions to the Commission. The committee's chief responsibility with respect to pre-applicant, applicant, and candidate institution is to recommend to the Commission appropriate action on the invitation of institutions to apply for Candidate status and on the admission of institutions to Candidate status.
The committee also determines if institutions in candidacyare making timely progress toward accreditation.

Role of the Staff Liaison

Staff serve as a resource. As appropriate, the assigned staff person may provide comments and answer questions or address concerns of the committee regarding the institution. For institutions where written institutional reports are not required, committee members will review and discuss staff reports.

Role of the Chair and Other Members of the Committee

A commissioner serves as Chair of the committee and, as Chair, is responsible for assuring that there is appropriate participation and consistency in the decision-making process. The Chair allows general discussion and questions by everyone present to facilitate agreement on the action which the committee will recommend to the Commission. The committee decides if the institution should be placed on the agenda for consent or discussion by the Commission.

Substantive Change Committee

Changes within institutions are frequent. Because there is a need to assure educational quality as institutions change, the Commission monitors substantive changes that occur between regularly-scheduled periodic evaluations. Institutions seeking prior approval of or providing information regarding a substantive change submit a report that provides basic planning information including the nature and purpose of the proposed activity, its relevance to the institution's current mission, and the its impact on the rest of the institution. The committee is charged with reviewing all reports requesting approval of a substantive change.

Role of the Committee Members/Reviewers

Committee members serve as first and second reviewers for particular substantive change requests. Each of the two reviewers reports orally on the institutional materials sent to them and proposes what action should be taken in response to the substantive change request(s) assigned to them. Committee members participate in a discussion of the action which the committee should take on behalf of the Commission or, alternatively, in the determination that a substantive change request should be forwarded to the full Commission for review at its next meeting.

Role of the Staff Liaison

Staff serve as a resource. As appropriate, the assigned staff person may provide comments and answer questions or address concerns of the committee regarding the institution.

Role of the Chair

A commissioner serves as Chair of the committee and, as Chair, is responsible for assuring that there is appropriate participation and consistency in the decision-making process. The Chair allows general discussion and questions by everyone present to facilitate agreement on the action which the committee will take on behalf of the Commission.

Approved by the Commission November 2001

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POLICY STATEMENT

Notification of Accreditation Decisions

The Middle States Commission on Higher Education makes every effort to notify institutions of all accrediting decisions as soon after each Commission meeting as possible, but no later than 10 business days following a Commission meeting. The Commission makes additional notification of accreditation decisions as outlined below.

Action Letters

The Commission sends letters of notification regarding any Commission action to the institution within 10 business days following each Commission meeting.

Initial or Renewed Accreditation

The Commission will provide written notice of decisions on initial or renewed accreditation within 20 business days of the decision to:

- the U.S. Secretary of Education
- the appropriate State licensing or authorizing agency
- the appropriate accrediting agencies
- the public

Within 20 business days of each Commission meeting, staff will send a letter to the U.S. Secretary of Education listing all Commission accreditation actions from that meeting. A copy of the letter is sent to each state licensing or authorizing agency in the Middle States region and to regional accrediting agencies and specialized accrediting agencies.

The public will be informed within 30 days of the decision through the MSCHE website, currently found at www.msache.org.

Final Decisions on Probation, Denial, Withdrawl, Termination

No later than 30 days after each Commission meeting, the Commission provides written notice of final decisions (probation, and final decisions to deny, withdraw, or terminate candidacy or accreditation) at the same time it notifies the institution to:

- the U.S. Secretary of Education
- the appropriate State licensing or authorizing agency
- the appropriate accrediting agencies

Because the Summary of Commission Actions that is usually provided is not always distributed at the same time the institution is notified, these groups are informed by special letter.

The Commission provides written notice of such decisions to the public within 24 hours of informing the institution. The information is made available on the Statement of Accreditation Status.

The Commission will make available a brief statement, called a Public Disclosure Notice, summarizing the reasons for denying or terminating accreditation or candidacy, including any comments submitted by the affected institution, as soon as possible but within 30 days of the decision to:

- the U.S. Secretary of Education
- the appropriate State licensing or authorizing agency
- the appropriate accrediting agencies

The statement is made available to the public within 60 days of the decision, upon request and also upon request of the Statement of Accreditation Status.

In the event that an institution voluntarily withdraws from accreditation or its accreditation lapses, the Commission will notify, within 30 days of the institution's decision:

- the U.S. Secretary of Education
- the appropriate State licensing or authorizing agency
- the appropriate accrediting agencies

Notification is conducted through the summary of accreditation actions distributed after each Commission meeting.

The Commission also notifies the public upon request. Notification is included in the Statement of Accreditation Status.

Notification of Substantive Change

Substantive change actions are official actions of the Commission and are included in the Institutional History and Statement of Accreditation Status.

List of Actions:

A Summary of Commission Actions, listing all accreditation actions for a given meeting, is sent to the Secretary of Education within 20 business days following each Commission meeting. A copy of the letter is sent to each state licensing or authorizing agency in the Middle States region and to regional and specialized accrediting agencies.

If the decision is to place the institution on probation or if the decision is an unappealable action to remove accreditation or remove or deny candidacy, staff will notify the Secretary and all other parties at the same time staff notifies the institution. Because the summary listing of Commission actions is not always distributed at the same time the institution is notified, these groups may be informed separately.

Web Site and SAS

Within 30 business days of each Commission meeting, staff will post the list of accrediting actions on the MSCHE website. The updated SAS is made available within 20 business days of each Commission meeting.

If the action is probation or an unappealable action to remove accreditation or remove or deny candidacy, the Commission will make the SAS available within 24 hours of informing the institution.

For actions to remove accreditation, to deny candidacy, or to place the institution on show cause, the Commission will work with the institution to develop a joint statement, or Public Disclosure Notice, about the action for use in responding to public inquiries. Because the Notice is developed with consultation from the institution, it cannot be developed until the Commission takes its action. Therefore, the SAS will contain a notation that the Notice will be developed or that it is attached. It will be available unpon request within 30 days after the Commission takes its accreditation action.

In accordance with federal regulation, the Commission makes the Public Disclosure Notice available to the Secretary upon request within 30 days after the Commission takes its accreditation action.

Commission Internal Procedures

Providing data in written form, including through the MSCHE website, requires a coordinated effort. In order to prepare the distribution letters, SASs, and web page in a timely manner, Commission staff will prepare a list of all proposed actions no later than one week prior to the Commission meeting.

Commission staff will format the document for posting to the web.

If any changes are made to the proposed actions, the Evaluation Services Coordinator will notify the appropriate staff of those changes immediately after the Commission meeting. Staff then will finalize the web document and make the information available according to the policy above.

Approved by the Commission November 2001

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APPEALS

Procedures for
Appeals from Decisions
# of an
Accrediting Commission
# of the Association

Middle States Association of Colleges and Schools
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Middle States Association of Colleges and Schools

Procedures for Appeals from Decisions of an Accrediting Commission of the Association

Pursuant to Article IV of the Bylaws of the Association, these procedures are established for the appeal of decisions of an Accrediting Commission of the Association.

I. Definitions and General Provisions

A. **Association**. The Middle States Association of Colleges and Schools.

B. **Board**. The governing body of the Association.

C. **Commission**. An accrediting Commission of the Association.

D. **Secretary or Designated Official**. The Secretary of the Association, or an individual designated by the Association to carry out certain functions under these procedures.

E. **Executive Director**. The Executive Director of the Commission.

F. **Adverse Accrediting Action**. A decision denying the initial candidacy or accreditation status of an institution, or terminating or denying renewal of the candidacy or accreditation status of an institution.

G. **Appellant**. An institution that is the subject of an Adverse Accrediting Action.

H. **Day**. Unless otherwise stated, a calendar day.

I. **Date of Receipt**. The date a document is actually received by a party, as evidenced by a postal service, courier or private carrier receipt.

J. **Chair**. The chair of a Hearing Panel.

K. **Common Costs**. As used in these procedures, the costs incurred by the Association in empaneling a Hearing Panel and conducting a Hearing, travel and accommodation costs for panel members and Association staff involved in the conduct of a hearing, costs of facilities for the conduct of the hearing, if held at other than the offices of the Association, transcript fees, and legal fees incurred by the Hearing Panel or the Association in the conduct of the appeal, except that Common Costs do not include the costs incurred by either Appellant or the Commission in preparing for or participating in the appeal process, nor does it include the costs of legal counsel for either party or any costs incurred by Appellant's or the Commission's participation in the proceedings.

L. **Selection of Appeal Panel**. At the Annual Meeting of the Board of Directors of the Association, the President shall propose and the Association Board of Directors shall approve the selection of sixteen (16) women and men, each with substantial experience and participation in the education community, to serve as Appeal Panel members. Appeal panel members may serve on more than one Hearing Panel during the term of their appointment.

II. Request for Reconsideration

A. **Appellant Rights**. Notice of an Adverse Accrediting Action subject to reconsideration or appeal under these procedures shall be accompanied by a copy of these procedures and a statement respecting the obligation of Appellant to share the Common Costs incurred in affording the appeal, and to assume further costs if the appeal is deemed frivolous.

   1. If an Appellant fails to file its request for reconsideration, notice of intent to appeal and the required filing fee, or its appeal document, in a timely fashion, the Appellant shall have waived its right to appeal.

   2. An Appellant must first request reconsideration of an Adverse Accrediting Action by filing a written request with the Executive Director of the Commission within thirty (30) days of receipt of the Adverse Accrediting Action. In the event of an appeal from a joint committee of accrediting Commissions, an Appellant shall direct the appeal to the chairperson of the committee, with copies to the Executive Directors of the participating Commissions.

      a. The written request shall contain a concise statement setting forth the basis for the request.

   3. The accreditation status of an Appellant automatically remains in effect until the expiration of the period within which Appellant may file a Request for Reconsideration, or the completion of the Association appeals process, whichever shall later occur.

B. **Grounds for Reconsideration**. Reconsideration will be granted where the Appellant demonstrates by clear and convincing evidence that the Commission erred in issuing its Adverse Accrediting Action.

C. **Form of Request for Reconsideration**. A Request for Reconsideration shall be based solely upon the evidence before the Commission at the time the Adverse Accrediting Action was made and shall specify the particular asserted error or errors in the Adverse Accrediting Action.

   1. Notwithstanding the foregoing, Appellant may also submit documentary evidence, including affidavits, not previously submitted to the Commission

demonstrating substantially changed circumstances that, if presented to the Commission, may reasonably have resulted in a different accreditation action.

D. **Action on Request for Reconsideration**. The Executive Committee of the Commission shall review a Request for Reconsideration together with all admissible submissions and shall issue a written decision whether to grant the Request within thirty days of receipt of the Request. In the event a Request for Reconsideration is granted, the decision shall provide the Commission with such guidance as the Executive Committee deems necessary to ensure that the issues raised in the Request for Reconsideration are properly addressed.

1. If the Executive Committee grants the Request for Reconsideration, the Adverse Accrediting Action shall be remanded to the Commission for further proceedings consistent with the direction of the Executive Committee.
2. If the Executive Committee denies the Request for Reconsideration, the Adverse Accrediting Action shall take effect on the eleventh day after receipt by Appellant of notice of denial, unless Appellant appeals said Decision in accordance with these procedures.
3. An Adverse Accrediting Action that has been remanded to the Commission for further proceedings shall not be subject to further Requests for Reconsideration, but shall be appealable to the Association in accordance with these procedures.

III. Appeals

A. **Nature of Appeals**. Except as otherwise specifically set forth herein, appeals from Adverse Accrediting Action shall be based solely on the evidence and record before the Commission, inclusive of any evidence of substantially changed circumstances submitted as part of a Request for Reconsideration. The burden shall be upon the Appellant to demonstrate that:

1. there were errors or omissions in carrying out prescribed procedures on the part of the evaluation team or the Commission which materially affected the Commission's decision;
2. there was demonstrable bias or prejudice on the part of one or more members of the evaluation team or Commission staff or Commission which materially affected the Commission's decision;
3. the evidence cited by the Commission in reaching the decision which is being appealed was in error on the date when it made the decision and the error materially affected the Commission's decision; or
4. the decision of the Commission was not supported by substantial evidence or was arbitrary and capricious.

B. **Cost of Appeals**. The parties shall equally divide the Common Costs of an appeal under these procedures, except that a party shall pay the full costs of an appeal, inclusive of reasonable attorneys fees of the prevailing party, where the Hearings Panel specifically finds:

1. that an appeal is frivolous, in which case the Appellant shall bear the entire cost of the proceeding, or
2. that the Commission was arbitrary and capricious in taking the Adverse Accrediting Action, in which case the Commission shall bear the entire cost of the proceeding.

C. **Surety for an Appeal**. Appellant shall, at the time of filing a Notice of Intent to Appeal as set forth herein, deposit with the Association cash or acceptable surety equal to the estimated cost to the Association and the Commission of providing for the Appeal, as such costs shall be established by the Association, and such sum if in the form of cash, shall be maintained in an interest bearing account until the termination of the proceeding.

D. **Timing and Form of Notice of Intent to Appeal**. Notice of intent to appeal a denial of a Request for Reconsideration, or of an Adverse Accrediting Action remanded to the Commission on the basis of a prior Request for Reconsideration, must be filed in writing with the Secretary or other Designated Official of the Association, with a copy to the Executive Director of the Commission, within ten (10) days of receipt by Appellant of notice of the action. The Notice of Intent to Appeal shall specify the particular asserted error or errors in the Adverse Accrediting Action, and shall be signed by Appellant's chief executive officer.

   1. Appellant shall in its Notice of Intent to Appeal specify whether an appearance before the Hearing Panel is requested, or whether the appeal is to be decided on the basis of written submissions.
      A waiver of the right to appear before a Hearing Panel shall be final.

E. **Selection of Hearing Panel**. Upon receipt of a Notice of Intent to Appeal the Secretary or other Designated Official shall draw the names of three members of the Appeal Panel to serve as the Hearing Panel, and shall within three business days of such receipt provide the Appellant and the Executive Director of the Commission with the names and biographical data of each such person.

   1. An Appeal Panel member so selected who has a conflict of interest, as such term is defined in the Bylaws of the Association and the procedures of the Commission, shall immediately notify the Secretary, who shall thereupon draw a replacement in the same manner.

   2. An Appeal Panel member is also disqualified from serving on a Hearing Panel if she or he has participated in any way in the process leading to the decision being appealed, comes from the same state as the institution appealing, or has had any prior relationship with the Appellant.

   3. Appellant and the Commission may challenge the selection of any Hearing Panel member on the basis that the member has a conflict of interest or should otherwise not participate in the proceeding, for cause as described in this paragraph, by giving written notice of the basis of such challenge within five business days of receipt of the list of Hearing Panel members. The President of the Association shall rule on such challenges, the benefit of doubt to be afforded to the challenging party. In the event an Appeal Panel member is recused, the Secretary or Other Designated Official shall draw a replacement from the existing pool, and such replacement shall be subject to the same challenge.

   4. The Hearing Panel members shall elect from among their number a chair, and all actions of the Hearing Panel shall be by majority vote of the full panel.

   5. The Chair of the Hearing Panel shall control the hearing and presentation of witnesses. The Chair may limit the duration of the hearing and shall endeavor to divide the time equitably among the parties. The Chair shall rule on all questions pertaining to the conduct of the hearing, including the admissibility of evidence, and may extent any of the deadlines set forth in these procedures for good cause shown by the requesting party.

F. **Form of Appeal**. Within thirty (30) days of receipt of notice of the action from which the appeal is taken, the Appellant shall submit to the Secretary or other Designated Official of the Association five (5) copies of written argument in support of its appeal, referencing the record below as appropriate, and shall simultaneously provide the Executive Director of the Commission with three copies of its submission.

G. **Response by Commission**. Within thirty (30) days of receipt of Appellant's written argument, the Commission shall submit to the Secretary or other Designated Official of the Association five (5) copies of written argument in support of its action, referencing the record below as appropriate, and shall simultaneously provide the Appellant with three copies of its submission.

H. **Scheduling of Hearing**. If an appearance before the Hearing Panel has been requested by Appellant, the chair of the Hearing Panel shall, not less than fifteen (15) and not more than thirty (30) days after receipt of the response by the Commission, or the expiration of the allotted thirty (30) day period, whichever shall be sooner, notify Appellant and the Commission of the date, time and place of the hearing.

1. The Chair may, but shall not be required to, convene, in such form as shall be convenient to the parties, a prehearing conference for the purpose of discussing procedural matters.

2. Hearings shall be held at the offices of the Association or such other location as the Chair shall deem convenient to the parties, provided the Appellant or the Commission may petition the Chair, for good cause, to set the hearing for a different date or location. The decision of the Chair shall be final.

I. **Procedures When No Appearance is Requested**. In the event Appellant has not requested the opportunity to appear before the Hearing Panel, the Chair shall, not less than fifteen (15) and not more than thirty (30) days after receipt of the response by the Commission, or the expiration of the allotted thirty (30) day period, whichever shall be sooner, schedule a meeting of the Hearing Panel to consider the appeal. Such meeting may be held in person or by telephone, at such location or locations as may be convenient to the panel members.

J. **Procedures for Oral Hearings**. Proceedings before a Hearing Panel are before an appellate tribunal. As the Hearing Panel is limited to consideration of evidence contained in the record on appeal, the Chair of the Hearing Panel shall ensure that extraneous evidence not properly in the record is excluded from consideration. The Chair shall be advised by counsel to the Association respecting the course of proceedings, and the procedural determinations of the Chair shall be final. Appellant and the Commission may be represented by counsel, and their respective cases may be presented by counsel or any other designee or designees of their choice.

1. Appellant shall have the burden of going forward and the burden of proof in seeking to reverse or modify an Adverse Accrediting Action. The Commission shall have an opportunity to present argument in rebuttal, and each party shall have an opportunity to make a closing statement. The members of the Hearing Panel may question either party at any point in the proceedings.

2. As the proceeding before the Hearing Panel is appellate in nature and limited to the record on appeal, no discovery shall be permitted for either side and no evidence not already properly in the record on appeal shall be accepted, provided that the parties may offer witnesses for the limited purpose of elucidating the meaning of evidence properly

before the Hearing Panel. The Chair shall rule on the admissibility of offered testimony.

   a. The Hearing Panel may hear argument that evidence substantially material to the ability of Appellant to present its case before the Commission was improperly excluded by the Commission, and if so persuaded, the Hearing Panel shall remand the case to the Commission for further proceedings allowing for the consideration of such evidence.
   b. Notwithstanding the foregoing, Appellant may submit evidence demonstrating that a substantial change of circumstances has occurred which, had it occurred prior to the decision of the Commission, would likely have resulted in a different accrediting action. If the Hearing Panel is so persuaded, it shall remand the case to the Commission for further proceedings allowing for the consideration of such evidence.

3. The Chair may request post-hearing briefs of both parties to clarify issues before the Hearing Panel. Such submissions shall be due within ten (10) days of notification by the Chair of the Hearing Panel.
4. A transcript shall be made of the proceedings before the Hearing Panel. A party requesting expedited production of a transcript shall pay the entire incremental cost of such expedition.

K. **Decision of the Hearing Panel**. The Hearing Panel shall render its decision in writing within fifteen (15) days of the conclusion of the hearing or the submission of post-hearing briefs, whichever is later, or, if no oral argument has been requested, within forty-five (45) days of the parties' submissions.

1. The Hearing Panel may recommend that an Adverse Accrediting Action be affirmed, reversed or modified, in which case the decision will be remanded to the Commission for further proceedings consistent with the recommendation of Hearing Panel.
   a. The decision of the Commission affirming, reversing or modifying an Adverse Accrediting Action so remanded shall be deemed final Accreditation action of the Association, shall not be subject to any further review or appeal within the Association, shall be conveyed to the appropriate public authorities in accordance with law, and shall be effective upon its issuance.
   b. Notwithstanding the foregoing, an Adverse Accrediting Action by the Commission that is inconsistent with the direction of the Hearing Panel on remand shall be appealable to the same Hearing Panel which shall retain jurisdiction for the limited purpose of determining whether its direction on remand has been carried out, and if not to provide further direction to the Commission.

IV. Subsequent Action

A. **Recission of Prior Actions**. The Commission may, for good cause shown and solely in the exercise of its discretion, rescind an Adverse Accrediting Action previously taken.

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